THE COURAGE OF WARD CONNERLY
NOEMIE EMERY

the weekly Standard

APRIL 3, 2000

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Brave New World

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the weekly Standard

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George W. Bush Ponders His No. 2

When reporters for the *Washington Post* interviewed George W. Bush last week, they found him untalkative about whom he might pick as his vice presidential running mate. THE SCRAPBOOK didn't have this problem at all. On the contrary, Bush yakked at length about a number of Republican bigwigs mentioned as possible veeps, though he insisted he hasn't really begun the selection process.

John McCain? Bush doesn't sound inclined to tap him. His only comment is that McCain has said he doesn't want to be asked to join the ticket. But when the conversation turns to Colin Powell and Dick Cheney and John Kasich, Bush gets more animated. If Powell were available—and the former chairman of the Pentagon's joint chiefs of staff insists he's not—he would be a very "strong" candidate, Bush says. THE SCRAPBOOK takes this to mean that Bush is likely to make a serious run at Powell. As for Cheney—the former defense secretary, House Republican whip, and White House chief of staff—Bush says he's gotten to know him well in recent years. Cheney now runs the Halliburton Corp., an oil services company in Dallas, and has advised Bush on defense and foreign policy. "This guy is a very good man," Bush says. "I trust his judgment a lot."

What about Kasich, the House Budget Committee chairman who briefly challenged Bush for the GOP presidential nod, then dropped out and endorsed Bush? Bush says there might be an advantage in "reaching down to the younger generation" in choosing a vice president. Kasich is 47, Bush 53. "I like his spirit," Bush says. "I like his attitude. He's an interesting cat. He's a lot of fun." Finally, Bush talked about Sen. Connie Mack of Florida. Like Kasich, Mack is retiring from Congress this year. Bush says he doesn't know Mack well, but heard him speak at a prayer breakfast before Bush's brother Jeb was inaugurated as governor of Florida in 1999. "I was very impressed," Bush says. "It was a powerful public testimony." And how about Pennsylvania governor Tom Ridge, a long-time Bush favorite? Oops. THE SCRAPBOOK forgot to ask. ♦

The McCain Blackout

For the dwindling band of folks who doubt the existence of liberal bias in the media, there's fresh evidence they have their heads in the sand. Remember when John McCain tossed hand grenades at George W. Bush in the Republican presidential primaries? Every bit of criticism was lovingly reported, to the detriment of Bush's campaign. Now, move ahead to March 21, McCain's first day of heavy public activity on Capitol Hill after pulling out of the presidential race. The senator held a press conference with virtually the entire press corps in attendance, and he zinged Vice President Al Gore for claiming to be a campaign-finance reformer. First, he said, Gore must come clean on his own 1996 campaign corner-cutting by calling for a full investigation.

The press jumped all over the story, right? Wrong. The *Washington Post* dutifully ran a piece and Fox News Channel and CNN did segments, but ABC, NBC, and CBS couldn't be bothered. The *New York Times* mentioned McCain's challenge in one paragraph. *USA Today* also devoted a paragraph; the *Los Angeles Times* not a word. So here's the bottom line: When McCain attacks to his right, it's news, but when he attacks to his left, it's not. The name for that is liberal bias. ♦

West Wingnuts

As John Podhoretz noted in last week's cover story on *The West Wing*, creator Aaron Sorkin mysteriously claims his show is not liberal, even though every political debate it stages is won by liberals. Which liberals at least recognize, even if Sorkin does not. The March 23 *Daily Variety* reports: "*West Wing*'s John Spencer (chief of staff Leo McGarry) and Richard Schiff (director of communications Toby Ziegler) wing to D.C. Saturday to accept the Maggie award from the Planned Parenthood Federation of America for Outstanding Coverage of Reproductive Rights and Health Issues in a TV Drama Series—for the courageous pilot in which the president sent a strong message to the leader of an anti-choice group."

What courage: pandering to the foremost political bias of the showbiz community, and receiving an award for it! ♦

Teach Your Children Well

Can you really negotiate peace, when you teach your children that the other side is the devil incarnate? This is a question President Clinton no doubt neglected to ask Syria's president Hafez al-Assad when they met in Geneva on Sunday March 26, but it certainly would have been appropriate.

A disturbing new monograph by Meyrav Wurmser of MEMRI (the Middle East Media Research Institute), *The Schools of Ba'athism*, chronicles the rampant anti-Semitism peddled to Syrian schoolchildren by Assad's regime. Syrian schools equate Zionism with Nazism and depict Israel as part of a Western plot to keep Arab states divided and

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backward. A 5th grade geography book calls on students to resist Israel with "all means available, including an armed struggle." While its leaders talk peace with Israel, Syria's textbooks still extol the path of martyrdom. Great rewards await those who follow that path, but "there is no forgiveness for whoever avoids *Jihad* in the cause of *Allah* for the purification of Palestine from the Jews."

One wonders what will be the outcome of peace negotiations with a Syrian president, who is quoted in tenth grade textbooks pondering, "What is the difference between the essence of Nazism and Zionism?" (Not much, if you were wondering what his answer was.) As long as Syrian schools teach hatred of and permanent war with Israel, it's hard to be optimistic about the outcome of peace negotiations. ♦

Gore Campaign Police Blotter

Shortly after 3 A.M. on March 11, Officer Joseph Simonik of Nashville's Metro police department observed a car near the intersection of Charlotte Pike and Hillwood traveling 85 miles per hour in a 40 mile-per-hour zone.

The driver was slow to respond to Simonik's flashing lights. But the officer finally managed to flag her down. She had been speeding, 25-year-old Anupama Rangappa explained to him, while "laughing uncontrollably," because her passenger was pregnant. Only the passenger did not appear pregnant to Simonik.

Officer Simonik next administered a sobriety test. Whereupon Rangappa "became uncooperative and somewhat belligerent."

Specifically, Rangappa said, "I am on the Gore 2000 campaign, and I'm going to call the United States district attorney right now." Officer Simonik "perceived what she had to say as a threat of intimidation," according to the police report of the incident. And as if further to prove that he was not familiar with the standard style and expectations of Goreworld, Simonik then promptly arrested the young woman.

Gore campaign communications director Kathleen Begala confirmed to the Nashville *Tennessean* that Rangappa is a salaried employee in the candidate's scheduling office. Rangappa's attorney confirms that Rangappa knows what any Gorehead caught in such a legal pickle is supposed to do: She is now out of the country, he says, and unavailable for comment.

For the circle to be complete, there remains only one thing left to happen before Rangappa's scheduled April 6 appearance in Davidson County General Sessions Court. Any day now, THE SCRAPBOOK expects, attorney general Janet Reno will order the Department of Justice to launch a civil rights investigation of the Nashville police department. ♦

E-mail THE SCRAPBOOK

THE SCRAPBOOK is now reachable 24/7. To paraphrase Alice Roosevelt Longworth, if you don't have anything nice to say, e-mail it to Scrapbook@weeklystandard.com. ♦

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Casual

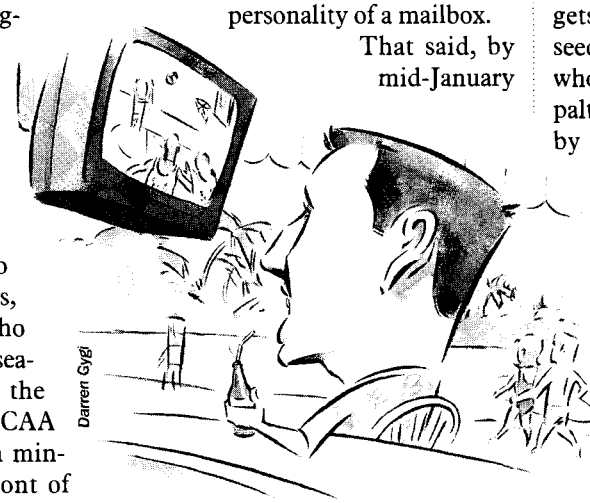
Welcome to Bracketville

Hard as I might try, I'll never manage to forget my first collegiate spring break, one March too many years ago. Friends asked me to join them in Jamaica, and having just endured my first Connecticut winter, I pounced at the invitation. But by the time we arrived, I wasn't so sanguine about the week ahead: I'd forgotten my passport—customs admitted me on the basis of a voter registration card and a few greenskins—and I'd heard too many horror stories about crummy beaches, warm Red Stripe beer, and incessant solicitations from natives peddling ganja and dashikis.

It didn't take long for me to snap out of my doldrums, though, as a stroll through Ocho Rios turned up my Xanadu: a seaside, open-air bar televising the opening two rounds of the NCAA basketball tournament. Within minutes, I'd plopped myself in front of the overhead TV, and there I stayed for most of the next four days, nursing ice-cold Red Stripes and fending off the jeers of my friends, as ESPN skipped around the country to show what seemed to be one nail-biter finish after another. I still recall the upset of Illinois by Austin Peay—rhymes with she—because of the school's cheeky cheer: "Let's go Peay." And I felt right at home once ESPN's motor-mouth analyst Dick Vitale began his extended commentaries. (It was once said of Vitale, rightly, that "he doesn't broadcast games, he broadsides them.")

Heroic efforts notwithstanding, I've never again succeeded at watching 12 hours of college basketball a day for four days straight. I could justify it back then because I'd matched up against some of these guys at summer camps—never with any success, I might add—and because as a college freshman I didn't have anything better to do.

Today, I can't always get excited about games in which most of the players were born in the 1980s and all seem to have upper arms tattooed with witchcraft symbols. And at tournament time, I miss Vitale. This year's studio hosts, Greg Gumbel and Clark Kellogg, have the combined personality of a mailbox.


Darren Gygi

That said, by mid-January I've usually started pining for the tournament to begin. Maybe it has to do with memories of past games: Tate George taking a full-court pass and hitting a shot at the buzzer to propel the University of Connecticut into the Final Four in 1990, or the University of Michigan's Rumeal Robinson throwing down a reverse, double-pump dunk in the 1989 championship game against Seton Hall.

I also look forward to the tournament because it's an occasion for sportswriters to trot out some of their most hackneyed, but hilarious, lines. Of a shot-blocker, they'll write that he's "responsible for more rejects than Harvard Law School." A work-in-progress is invariably "the biggest project since the filming of *Titanic*." And someone who scores in the clutch "treats his opponents like a baby treats a diaper."

There's one other reason—slightly less pure—why the tournament gets my juices flowing: money. I rarely bet on sports, or much of anything else, because I find the pain of losing to be twice as great as the pleasure of winning. But in recent years I, like just about every other red-blooded American male, have been lured into spending $5 or $10 on an NCAA tournament pool.

Complicating matters is that I've come upon an unorthodox pool—devised by California basketball guru Matt Steinhaus—in which entrants pick one team from each of the 16 seeds, with points awarded based on each team's performance: A one seed gets one point for every win, a two seed two points, etc. Thus a one seed who wins the tournament produces a paltry six points. But a couple of wins by teams with low seeds add up to a lot of points. That's what happened to me two years ago when, on a lark, I picked Valparaiso, Rhode Island, and Washington. To my continuing amazement, I walked off with first prize.

This year, I scrutinized the pairings with a diamond-cutter's attention to detail, but I got dogged by picking Indiana—a perennial early loser—and not UCLA, which has a weak coach but phenomenal talent (as Maryland learned the hard way). And owing to the pool's twisted calculus, I found myself rooting against North Carolina—a school I've always liked—because they were a number eight seed, and their victories would benefit others in the pool and thus penalize me. Suffice to say, I'm not in the money this year.

I won't bother trying to predict who will play in this year's final game, much less who will win it. But I'll be there to the bitter end—watching CBS's sappy "One Shining Moment" video montage has become a painful annual tradition—knowing that every March to come holds out hope for just a little more madness, and a little more money.

Matthew Rees

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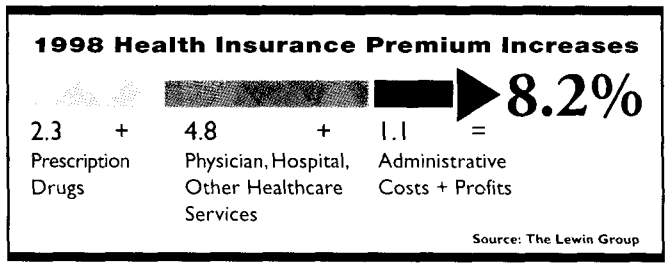
PREMIUM INCREASES: THE FACTS, NOT THE MYTH

by Alan F. Holmer, President and CEO
Pharmaceutical Research and Manufacturers of America

In the headlines, on the talk shows, around kitchen tables and board rooms across the country, people are complaining about rising health insurance premiums. What's behind these premium increases? Although it may be tempting to round up the usual suspects and blame increased prescription drugs costs for the premium rises, the facts tell a different story.

According to the latest data on national health spending, total private health insurance premiums increased 8.2 percent in 1998. An analysis of these data shows that about 60 percent of this increase was due to increased spending on hospitals, physicians and other health care services, and only about a quarter of the increase reflected increased spending on prescription drugs. But although there are loud complaints about increased drug spending, you rarely hear anyone blaming premium increases on the fact that people are seeing their doctors more often.



A lot of other factors are driving premium increases. There's a strong labor market. That means that, in order to attract and keep top talent, employers are offering richer benefit packages. In addition, insurers are competing to meet growing consumer demand for less restrictive health plans and greater access to specialists and advanced medical technology – all of which add to health premium costs. There's also our aging population. Older patients go to the doctor more often, are hospitalized more often, have more chronic diseases and need more costly and intensive health care services than the younger population.

Increased spending on prescription drugs means that more people, under their doctor's supervision, are taking more and better medicines – and that's a good thing. It means that patients are benefiting from innovative and cost-effective new treatments. Last year alone, 40 new medicines were added to the nation's medicine cabinet. These include advances in the treatment of AIDS, heart disease, diabetes, osteoarthritis, Parkinson's and many other diseases. These and other medicines save lives and improve the quality of life for patients. In many cases, they also keep people out of hospitals and nursing homes, helping them avoid surgery.

Examples of such cost-effectiveness tradeoffs abound. In a year-long disease management program run by Humana Hospitals for about 1,100 patients with congestive heart failure, drug costs increased by 60 percent, while hospital costs declined by 78 percent. The net savings were $9.3 million. And the human savings were even greater: the patients' ability to perform the activities of daily living – a good indicator of quality of life – went up 15 percent, while the death rate fell 15 percent.

Employers, who pay a large share of health insurance premiums, can also realize savings from increased use of newer and better medicines. A recent study showed that a new drug for migraine headaches saved $435 per month per treated employee due to a reduction in absenteeism and lost productivity costs, while the monthly cost of the drug per patient was only $44.00. Depression also places a huge economic burden on employers. But, according to a study published in the journal *Health Economics*, medical costs declined by $822 per employee per year and absenteeism dropped by nine days when workers with depression were treated with prescription medicines.

Health care is changing. Prescription drugs, which once played only a minor role, are now the preferred treatment for a wide range of conditions. This means more people are staying on the job and taking care of their families. And even though prescription medicines are playing a bigger role in health care, they still account for only a small percentage of total health care costs – just over eight percent in 1998. Health plans clearly realize that prescription drugs can be cost-effective and that their members would much rather take a pill than undergo surgery. Not surprisingly, they are turning increasingly to these treatments.

So, next time you hear the myth that prescription drugs are the major cause of escalating insurance premiums, don't believe it. Cost-effective medicines deliver one of the biggest values in health care.

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Black Gold

Irwin M. Stelzer's remedy for the spike in world crude-oil prices is perplexing, to say the least ("OPEC Rides Again," March 20). Oil prices are too high, so . . . raise oil taxes? I appreciate that Stelzer only suggests raising taxes (tariffs) on imported oil, but unless he knows of an overlooked spigot somewhere, higher tariffs on imports would still mean even higher market prices for crude and, hence, higher energy costs for U.S. consumers and industry than even OPEC would have us pay. Boy, that'll show 'em!

Similarly, Stelzer proposes to punish Mexico for joining OPEC production cuts by closing our borders to Mexican exports and immigration. This proposal is paradoxically made after Stelzer has claimed, perhaps too expansively, that Mexican immigration is an important check on inflationary pressures here. He confusingly argues that higher oil prices are "more of a threat" in the currently good economic climate than they would be otherwise, while also claiming that an increase in oil prices through tariffs would have "no negative effect on economic growth."

Clearly, there is such a thing as voodoo economics. However, its practitioners are the Buchanans and Stelzers of the world, not the Reaganite free-traders. The real answer to cartel behavior is the one Stelzer fails to mention, despite its prominence in the standard economics texts that he purports to cite: Give the cartel time to fall apart on its own, as incentives to covertly raise production levels overcome the benefits of sticking to the restrictive production quotas.

Leighton Anderson
Whittier, CA

I read Irwin M. Stelzer's dissertation on rising oil prices with great alarm. "Here we go again" would have been a more descriptive title.

Why is it every time energy prices spike upwards we go through the same machinations and ruminations, and suggest the same tired old bromides as a solution, ignoring the core problems? Sen. Bob Torricelli, with an ear for the vox populi, calls for a six-month hiatus on the diesel fuel tax. At least Senator Bob understands the problem for what it is, high prices, and not a scarcity of the product. But alas, as before, nothing will come of it.

Stelzer's suggestion that the cure for the current situation is an energy/import tax is the same old "higher taxes will solve everything" mantra that we know to have been discredited in the 1970s. Sure, if we can boost gasoline to a par with European prices of 3 to 4 dollars a gallon, then we will really be hurting OPEC. Yes indeed, and shooting your foot off obviates the need to buy two shoes as often.

Stelzer is right about one thing,

though: The present conditions for using our federal strategic reserve of fuel oil will never be met, and so it will never be used, ever. He then gives two options. One of them calls for Al Gore's election; the other, as I've detailed, is clearly not an option.

Why not a third choice? Use the federal reserve of uselessly stockpiled oil to truly drive oil prices down. How—by giving it to Standard Oil? I don't think so, but there is a third way that is very workable. Utilize the federal oil reserve now being held ostensibly for national military emergency. Why not test the fuel distribution system now? Without every military truck in the United States buying fuel at the roadside, and every government vehicle suddenly stopping to use its GSA credit card to deplete the existing supplies, the benefits treble. More fuel is available for civilian needs, less citizen tax money is spent on energy by government agencies, and the OPEC cartel will see that we truly can organize and react instead of fumbling around in the same old loop like last time.

Yes, this would require a change of policy, but is it not high time we started to think "out of the box" and start acting like the great nation we are?

Charles H. Farley
Greenville, NC

In his article on rising oil prices, Irwin M. Stelzer bemoans our vulnerability to OPEC rapacity, but not once in his article did he even hint of increasing domestic oil production. There are vast oil-potential areas that have had little or no exploration—the Columbia Plateau, Snake River, Down Warp, Nevada, and offshore California, to name a few. Also, offshore drilling in the Gulf of Mexico has been greatly reduced by federal red tape. These potential oil areas carry a higher risk than exploration in the past, and investors need an incentive for the increased cost. The average drilling well involves, directly and indirectly, over 200 people.

Additional wildcat drilling probably could not meet all our needs, but it would go a long way towards relieving the need for foreign oil.

Robert B. Robinson
San Antonio, TX

Stalin's Friends

I wish to commend Jacob Heilbrunn for his excellent article, "Stalin's New American Apologists" (March 13). In their efforts to minimize both the scope and the number of victims of the Stalinist terror, contemporary American academic apologists for Stalin employ methods remarkably similar to those European academics who acknowledge Hitler's "crimes" against European Jews, but deny the Holocaust.

Robert Thurston's statement that "Stalin was not guilty of mass first-degree murder," whatever that means,

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On Target

H.R. 2944 & Electricity

Respect for the States and Limits on Federal Regulation — The Key Principles Underlying H.R. 2944

Any federal legislation that restructures America's electric industry must embrace two fundamental principles. First, it must be deferential to the long standing prerogatives of the States. Second, it must be truly deregulatory and constrain the appetite of federal regulators to regulate. H.R. 2944 as reported by the House Subcommittee on Energy and Power now embodies these two crucial principles.

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nearly mirrors British historian David Irving's repeated assertion that no documentary evidence directly implicates Hitler as a mass murderer. Likewise, J. Arch Getty's statement that Stalinist slave-labor camps were not death camps is not far removed from French professor Robert Faurisson's proclamation of the "good news" that Nazi concentration camps were labor camps, not places designed for extermination, and certainly not equipped with gas chambers.

Finally, the notion that much of the Stalinist terror was neither ordered nor countenanced by Stalin, but instead was committed by rogue underlings or local officials, is paralleled by the claim often made by Nazi apologists—most notably Irving—that Hitler either did not know, or was unaware of the scope, of the violence being committed against Jews.

These parallels suggest that there might be merit to the old idea that socialism, communism, and fascism—while taking different forms—belong indeed to one genus. Perhaps the same is true of their apologists.

GEORGE H. SHOCKEY JR.
New Brunswick, NJ

THERE IS SOME GOOD STUFF in Jacob Heilbrunn's article on "revisionist" writings on Stalinism. But it is gravely marred by a serious error that could not conceivably have been made by anyone in the field itself. Heilbrunn nominates Stephen Cohen as the original revisionist, though shown as disappointed by his disciples. Cohen, though one may disagree with his views, has never (a) palliated Stalinism or (b) distorted the evidence—and never had anything to say in favor of those that do.

It would also be fair to say that Sheila Fitzpatrick, though of revisionist tendencies, is far from being on the same low level as others that Heilbrunn so effectively quotes.

ROBERT CONQUEST
Hoover Institution
Stanford, CA

DEM CATHOLICS (I)

MATTHEW REES LISTS Sen. John Kerry of Massachusetts as one of the four leading contenders for the Democratic vice-presidential nomination ("The Veep's Veep," March 20). It'll never happen, since we Democrats can't afford to nominate a Catholic (which Kerry is). We can't nominate a pro-life Catholic, of course, because of the stranglehold the pro-choice folks have on our party. Nor can we nominate a pro-choice Catholic, such as Kerry. If we do, anti-abortion Catholics (that is, real Catholics) will be outraged and will demonstrate at every campaign stop, while one or two bishops will suggest that the candidate ought to be excommunicated. The press will have a field day, and the Democratic campaign will degenerate into a circus.

Gradually the Democratic party is driving Catholics out of its ranks. A pro-choice Catholic vice-presidential nominee in 2000 would accelerate the process.

DAVID R. CARLIN
Newport, RI

DEM CATHOLICS (II)

FRED BARNES MAY BE CORRECT in his analysis of "George W. Bush's Catholic Problem" (March 13). But Bush's problem, stemming from a one-time appearance at an eccentric and obscure regional university, pales beside the "Catholic problem" of Vice President Gore and the Democrats. In labeling as "extremists" all those opposed to the for-profit industrial-scale killing of the unborn, the vice president exiles beyond the political pale all Catholics faithful to a central tenet of Catholic theology: the sanctity of innocent human life.

Gore and company may attempt to rebut criticisms of anti-Catholicism by pointing out the "pro-choice Catholics" prominent in the Democratic party. But "pro-choice Catholic" is a contradiction in terms. The Church is a big tent with room for widely disparate political and social views. But Church teaching on the core issue of abortion is clear: Those who advance abortion, whether they be physicians who wield the knives or officials who promote the practice in public policy, have in fact left the Church and cut themselves off from the sacraments until such time as they repent and mend their ways. It is accurate to refer to the Cuomos, the Daleys, and the Kennedys as persons who are "former Catholics," or who were "born Catholics." It is inaccurate to suggest that they remain Catholics in full communion with their Church.

Beyond the abortion issue, Democrats have a cultural "Catholic problem." It is not Republicans, but Democratic bigots in the media, the arts, Hollywood, and the television sitcoms who trumpet the sneering contempt for Church teachings, rituals, and leaders that is ubiquitous in popular culture. It was not Republican politicians and judges who defended the preposterous notion that money extorted from Catholic taxpayers must be used to defile a picture of the Virgin Mary with pornographic images and excrement.

The Republicans have an opportunity here. Will they have the courage to seize it? Will they find articulate and informed Republican Catholic laypersons to exploit it?

JOHN TREACY
Evanston, IL

LOVE YOUR WORK

I WISH I'D WRITTEN John Podhoretz's piece about Walter Matthau ("The Unlikeliest Star," Feb. 28).

TERRY TEACHOUT
New York, NY

•••

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the weekly Standard

China, Taiwan, and a Load of Fertilizer

On March 16, as the people of Taiwan were preparing to make history by turning out the ruling Nationalist party in the most momentous election in the 5,000-year history of the Chinese people, and as the Chinese rulers in Beijing were thundering ever more ominous threats of war should the Taiwanese electorate vote for opposition candidate Chen Shui-bian, Republican senator Chuck Grassley sent a letter appealing to the Beijing government to address "a very important matter." To underscore the importance of this very important matter, Grassley let the Chinese know that it was very important "to me personally." It was a matter which, the senator demanded "in the strongest possible terms," the Chinese must urgently resolve.

And what very important matter was on Senator Grassley's mind the day after China's "moderate" premier, Zhu Rongji, threatened war with Taiwan? What was on the senator's mind was fertilizer. The Chinese, it seems, have been restricting access to American fertilizer producers—some of them no doubt based in Senator Grassley's own state of Iowa—in a manner which the good senator finds "completely contrary to the free trade principles at the heart" of the World Trade Organization. This is, of course, shocking news. And it is a real detriment to America's vital national interests, given the fact that, as Grassley pointed out in his letter, "Fertilizer is the fourth largest United States export to China." Indeed, the United States exported a little over $900 million worth of fertilizer to Chinese farmers last year. That's about one-seventieth of the U.S. trade deficit with China.

Welcome to American politics at the dawn of the 21st century. When it comes to selling fertilizer, or textiles, or CDs, our politicians are prepared to play hardball with Beijing, or at least to talk a tough game. When it comes to defending the vibrant democracy of Taiwan from Chinese military intimidation and attack, or preparing the American people for a possible conflict with China sometime in the future, well, that is another story.

As the Republican-led Congress rushes to pass permanent most-favored-nation trade status for China, there is little indication that the Senate will take any action on the Taiwan Security Enhancement Act. That legislation, already passed overwhelmingly by the House, would strengthen military ties between the United States and Taiwan, increase Taiwan's ability to defend itself, and send a clear message to Beijing that its bellicose threats against Taiwan can only strengthen American resolve to come to Taiwan's aid.

Leading senators, however, together with the Clinton administration, seem determined to send a very different message to Beijing. Their message is: Threaten Taiwan, and get a new trade deal. For these senators, it seems, trade trumps everything. The day after Taiwanese voters defied Beijing and elected Chen president, the only thing that worried most Republican congressional leaders, as well as Clinton administration officials, was that Beijing might "overreact," hurting chances for permanent MFN for China. Grassley was on hands and knees, literally begging the Chinese to play it cool long enough to get past the vote. "I beg them," he said, "as a friend, just don't overreact." A Chinese military attack on Taiwan, Grassley said, would kill China's chances for getting into the WTO this year—and what would happen to the fertilizer producers then?

There are many sound, economic reasons to oppose granting permanent MFN status to China this year. Some of them were outlined by former Reagan Pentagon official Richard Perle at a Senate Finance Committee hearing last week. Perle, as a loyal adviser to George W. Bush, officially declares his support for permanent MFN for China. But when asked if the Chinese could be trusted to live up to any agreement and provide a "level playing field" for foreign businesses, Perle candidly admitted that such goals were illusory. "It would be hard to imagine more outrageously predatory behavior than that practiced by Chinese industry," Perle warned. "They'll lie, cheat, and steal on a breathtaking scale." It would be a "great mistake," he argued, "to expect a level playing field, because in China there is no level playing field, not even for private Chinese enterprises, much less foreign ones." Perle

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poured cold water on administration assurances, eagerly parroted by Republican congressional leaders, that China's entry into the WTO would necessarily open that economy up to American business. Americans should be "skeptical about the benefits to be found in Chinese membership in the WTO," he argued. "It is not self-enforcing, and unless we enter this with a plan for a vigorous defense of our rights under the WTO, when those rights are violated, as they surely will be, we will be bitterly disappointed."

And there are strategic arguments against granting permanent trade status to China. Already, American corporations have provided the Chinese military with advanced technologies that can someday be used against American forces. Already, the Chinese are using their enormous trade surplus with the United States to purchase advanced Russian weaponry that can be used in an attack on Taiwan. It would be one thing if Congress, while passing permanent trade status for China, were simultaneously instituting measures to prevent American trade with China from aiding its military buildup. But, of course, that is not happening. The same powerful corporate lobbyists who are ramming permanent MFN through Congress have also eviscerated every attempt to limit American technological and other assistance to the Chinese military. And they will be in an even stronger position to do so after permanent MFN is passed. The same lust for Chinese markets that has Senator Grassley talking about fertilizer when Taiwanese democracy is under threat of attack will continue to dominate U.S. policy toward an increasingly dangerous and belligerent Chinese government.

Lenin once quipped that the capitalists would sell the rope to hang themselves. During the long Cold War competition with the Soviet Union, this thankfully proved not to be an accurate judgment. For most of the Cold War, American strategic interests and moral principles trumped trade. That was crucial to the West's eventual triumph. Unfortunately, as the potential for conflict between the United States and China grows with each passing year, Lenin, who was wrong in the twentieth century, is looking more and more prophetic about the twenty-first.

—Robert Kagan, for the Editors

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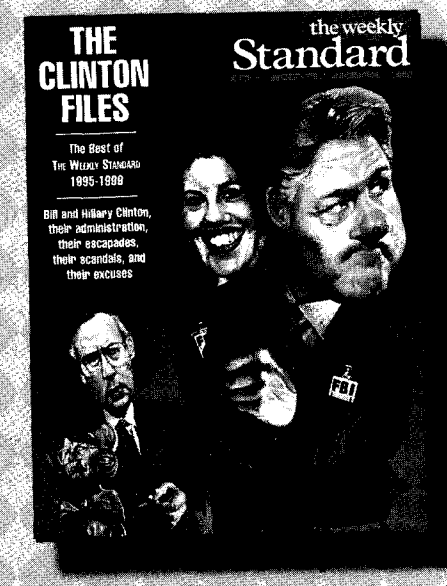

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Much Pressure on Israel

Will Barak be able to preserve his country's security?

Unrelenting pressure is being applied on Prime Minister Ehud Barak to make ever-more-dangerous concessions to the Palestinians. What we have seen so far is only a foretaste of what is going to be demanded from Israel in the so-called "final status negotiations." What follows are some areas in which demands will be made and pressure will be applied.

What are the facts?

Land for Peace. The whole concept is absurd. Never in the history of the world has any nation returned lands to those who have attacked it. Even so, in line with the Camp David accord, Israel has yielded the vast Sinai to Egypt. It has yielded Gaza and about 40% of the "West Bank" to the Palestinians. Over 90% of the Arab population of the territories is under the control of the Palestinian Authority. What else is expected of a country that occupies only a fraction of 1% of the lands occupied by the Arabs? And shouldn't land for peace work both ways? Shouldn't the Arabs give up some land to get peace? Or why not just simply "peace for peace"?

> "By not yielding to pressure and by not allowing Israel to be strategically weakened, Mr. Barak will bring peace with security, *shalom batuach,* to Israel and to the entire Middle East."

A Palestinian State. Israel could not survive if Judea/Samaria (the "West Bank") were in unfriendly hands. And, especially in light of the experience since the "handshake," during which time more Israelis were killed by Palestinian terrorists than in any comparable previous period, there can be little question of the enduring hostility of the Arabs. The "West Bank" mountain ridges dominate the narrow waist of Israel, in which over 70% of the Jewish population, 80% of its industrial base, and the most important military installations are located. The Palestinians would not need an army to make life in Israel impossible. Moveable Katyusha rockets would dominate the area. Israel needs to keep strategic control of the "West Bank," without which it would not be defensible.

Return of the "Refugees". Population transfers have occurred throughout history. In 1923, Greece and Turkey agreed to a resettlement of 2 million Greeks and 800,000 Turks; in 1945, the resettlement of 3 million Germans from Poland and Czechoslovakia was arranged. Following the collapse of its North African empire, France accepted close to 1.5 million people. More than 12 million(!) Muslims and Hindus were exchanged between India and Pakistan. Israel has recognized this historical necessity. But the "Arab Nation", with its enormous wealth and vast under-populated lands, has stubbornly refused to face facts. Instead of allowing the Palestinians who left Israel in 1948 (and their descendants) to be integrated into their societies, they have, for the past fifty years, kept them in miserable "refugee camps" and have encouraged them to plot vengeance and terrorism. Return of these people to Israel, including Judea/Samaria (the "West Bank") is impossible. Neither Israel nor any Palestinian entity could absorb them. There is not enough land and not enough water. It would be as unthinkable as for those 3 million Germans to return to Poland and the Czech republic or, for that matter, for the 800,000 Jews who fled or were expelled from the Arab countries to return to their original homes.

Jerusalem. Before the end of the 1967 Six-Day War, no claims to Jerusalem being a Moslem holy city or the capital of any Arab country were asserted. But for over two thousand years, Jews have been living in Jerusalem and they have been the majority population since the 19th century. Why should they give up their capital, their holy city as far back as memory goes—or even any part of it? The Moslems have their holy cities, Mecca and Medina, and they have 22 Arab capitals. There are important Arab cities in the "West Bank", under full control of the Palestinian Authority. But Jerusalem is the eternal and indivisible capital of the Jewish State.

These are the most important issues that Ehud Barak and his government will have to confront in the final status talks. As to Jewish "settlements" in the "West Bank": Netanyahu has made clear that Jews have the right to live in any part of the land of Israel, all of the land west of the Jordan River. And why not? How is it possible that 160,000 Jews living among 1 million Arabs in the "West Bank" should be an obstacle to peace if over 1 million Arabs live within the "green line" of Israel? They don't have to fear for their lives and nobody considers them an obstacle to peace. By standing firm and resolute, by not yielding to pressure from any source, domestic or foreign, and by not allowing Israel to be strategically weakened, Mr. Barak will have earned the trust of Isreal and the world and will bring peace with security, *shalom batuach,* to Israel and to the entire Middle

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Bush's Democratic Issue Strategy

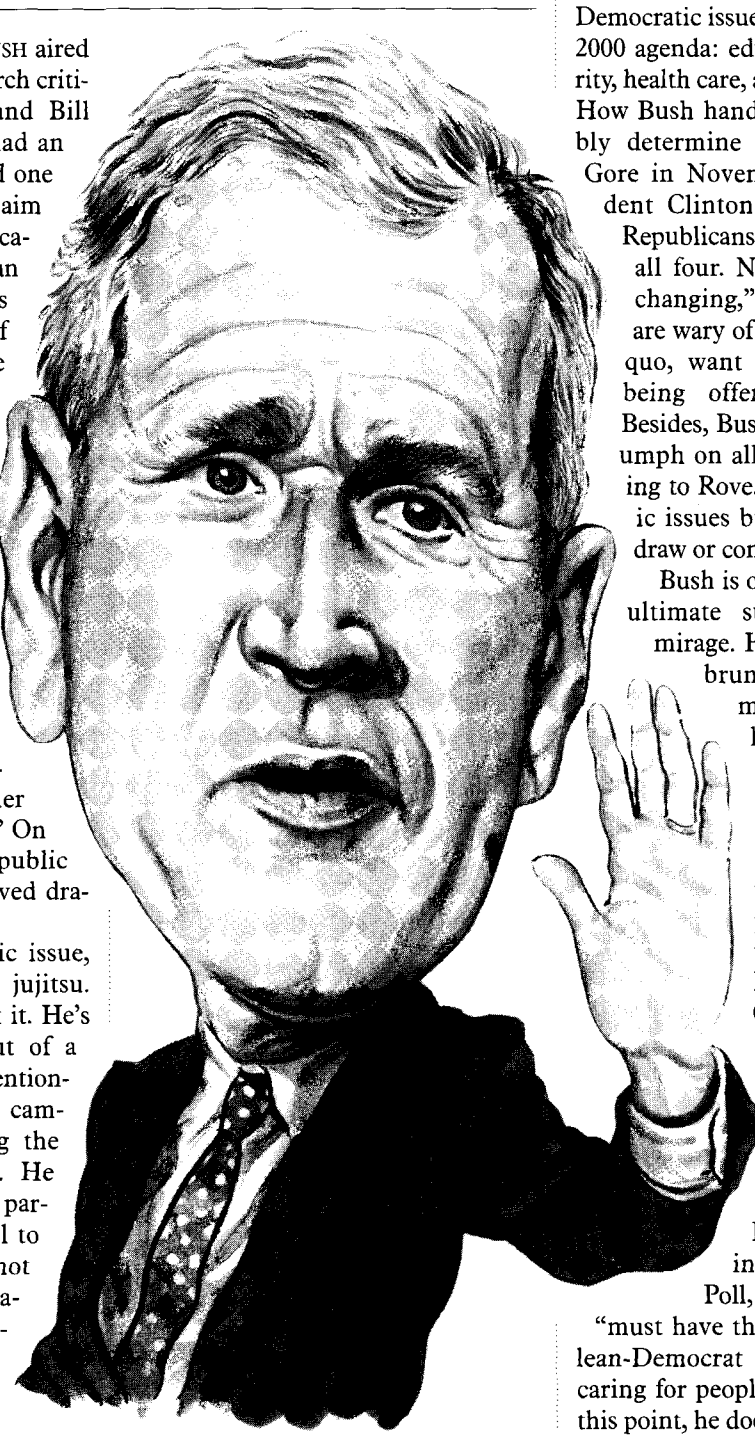
How Bush plans to neutralize Al Gore's trump cards. BY FRED BARNES

WHEN GEORGE W. BUSH aired a TV ad in mid-March criticizing "Al Gore and Bill Clinton" on education, he had an obvious purpose in mind and one not so obvious. The obvious aim was to assert himself on education, normally thought of as an issue aiding Democrats. Less obviously, Bush and his chief strategist, Karl Rove, were eager to see how Vice President Al Gore would answer. They anticipated an instant response attacking Bush's education record in Texas—and they got it. "I loved the Pavlovian reaction," Rove insists. Why? Because it prompted the media to compare—favorably—Bush's record on education with Gore's. The next week's *Time* trumpeted Bush as "the reformer who really does have results." On Bush's watch as governor, "public schools in Texas have improved dramatically."

By grabbing a Democratic issue, Bush isn't playing political jujitsu. There's nothing tricky about it. He's simply making a virtue out of a necessity. Bush has two conventional Republican issues in his campaign repertoire: rebuilding the military and cutting taxes. He swears he'll stick with both, particularly because they appeal to his conservative base. "I'm not going to abandon conservatives," he told me. On reducing taxes, "the Eastern press is trying to get me off it, but I'm going to stay with it." Bush also touts two broad conservative themes, restoring honor to the White House and reviving moral values across the country.

But the hardy perennial wedge issues of Republican campaigns—crime, welfare, balancing the budget—are no longer paramount. So Bush must come to grips with four Democratic issues prominently on the 2000 agenda: education, Social Security, health care, and the environment. How Bush handles them will probably determine whether he defeats Gore in November. Against President Clinton in 1992 and 1996, Republicans were blown away on all four. Now "the dynamic is changing," Rove claims. Voters are wary of preserving the status quo, want reforms, and aren't being offered any by Gore. Besides, Bush doesn't have to triumph on all four issues, according to Rove. "We win Democratic issues by fighting them to a draw or coming close."

Bush is off to a good start, but ultimate success could be a mirage. He hasn't felt the full brunt of the Gore attack machine yet. For now, however, he is only 2 percentage points behind Gore in the bipartisan Battleground Poll on who would "do a better job" on education. At this point in 1996, Bob Dole trailed Clinton by 26 points on education. Democratic pollster Celinda Lake says Bush "maintains personal credibility on education." Lake's GOP partner in the Battleground Poll, Ed Goeas, says Gore "must have the upper hand on his lean-Democrat issues of education, caring for people, and guns. Even at this point, he does not."



Drew Friedman

Fred Barnes is executive editor of THE WEEKLY STANDARD.

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Bush believes he's already "turned" the education issue to his advantage. "We're way out there already on education," says a senior adviser. "We're showing Bush as a reformer, Gore as status quo." In fact, Bush is routinely praised by normally Democratic groups for his education reforms in Texas. And the centrist Progressive Policy Institute looks kindly on his education plan, if only because it matches PPI's own. The Bush plan calls for higher standards, more testing, stringent accountability, and, if schools fail, extra state aid to help them improve and optional vouchers for their students to try private schools.

On Social Security, Bush has a tougher task. He doesn't intend to release a comprehensive reform scheme, only a set of principles. Otherwise, Gore would pick apart the details. For his part, Gore says the Social Security system isn't broken but merely in need of more money. Bush admits that if a majority of voters believe this, "I'm in trouble." Among the principles Bush will cite for reforming Social Security are no payroll-tax hike, no reduction in benefits for current retirees or those near retirement, and "personal investment accounts." These accounts would allow people to invest a portion of their payroll taxes in stocks, bonds, or mutual funds. "Public opinion is changing about Social Security," says Rove. "Personal savings accounts are a popular issue. We have an investor class out there, an investor society." And on this and other issues, Gore is, in the new Bush mantra, an "obstacle to reform," while Bush is a compassionate conservative.

Health care? That's tougher still for Bush. The Battleground Poll found Gore ahead 51 percent to 36 percent on "improving health care." Bush has yet to package his views in a single speech, but he will, stressing market solutions. To help the uninsured, he favors no-frills, basic health insurance that would be far less expensive than current plans. Bush would not only scrap federal impediments, he would "incentivize" states to offer cheap insurance. On Medicare, he wants the elderly to have the choice of sticking with the old program or choosing among private insurance plans, most with a prescription drug benefit. This is exactly the plan Clinton rejected when a commission headed by Democratic senator John Breaux proposed it. On both health care and Social Security, the Bush camp feels he must persuade a good chunk of those for whom the issue is the top priority. Bush's advisers think this is doable, but they've got a good way to go in achieving it.

Finally there's the environment. Even the most optimistic of the Bushies don't think this issue is winnable. "The best we can do is show we're reasonable," says one aide. "As long as we're greener than we're expected to be," says Rove, the environmental issue won't cause serious harm. Bush says he wants to be "proactive with smart ideas" on the environment. He favors "using technology and bringing people together to achieve clean air and clean water objectives." Bush says he's "thought about Kyoto," the treaty signed by Gore that would require drastic reductions in oil and coal use and thus threaten economic growth. But his advisers think it's too abstruse an issue to exploit. They're probably right.

There's a way we'll know, aside from polls, whether Bush is making headway on Democratic issues. If he keeps talking about them, he is. But if he quietly drifts back to the old GOP strategy of ignoring issues identified with Democrats, then he's clearly failed to gain ground. At this point, Bush has nothing to lose by taking on Democratic issues. And if all goes well, Gore's nightmare will come to pass—that is, Bush will be taken seriously enough that attacks about jeopardizing public schools and threatening Social Security and bankrupting Medicare will fall on deaf ears. ♦

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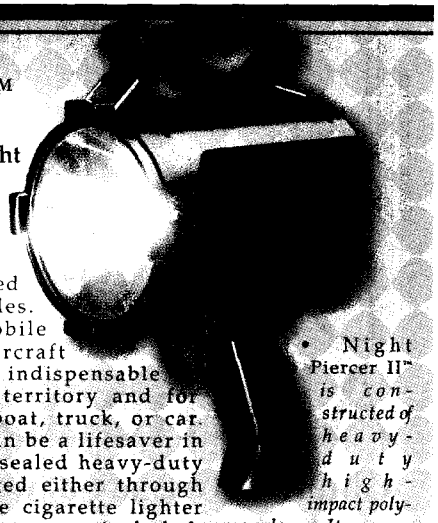

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Losing power: the Nationalist party poster comes down after Chen's victory

Democracy Makes All the Difference

China mavens are in denial about the meaning of the Taiwan election. BY JOHN BOLTON

Taipei

NO SOONER HAD opposition candidate Chen Shui-bian triumphed in Taiwan's presidential election on March 18 than apologists for Beijing rushed to adopt either of two contrary positions: The scaremongers warned that tensions across the Taiwan Strait would rise and the risk of military conflict grow, for Chen's Democratic Progressive party (DPP) has favored independence for Taiwan—anathema to China. The more sanguine of the pro-Beijing crowd, meanwhile, argued that neither Chen nor his party really believed in independence any more; President Chen, they predicted, would not deviate greatly from the course either of his defeated opponents would have followed had he prevailed, and the "one China" formula beloved of Beijing and the Clinton administration would remain undisturbed.

John Bolton is the senior vice president of the American Enterprise Institute. During the Bush administration, he served as the assistant secretary of state for international organization affairs.

What all the Beijing mavens had in common was denial. They studiously avoided mentioning that those inconvenient voters in Taiwan had ignored State Department instructions and insisted on making their own decisions. In fact, the results in Taiwan mark a change in the geopolitics of East Asia that is potentially enormous. And, the scaremongers notwithstanding, the result should be not an increase in tensions across the Taiwan Strait, but an increase in the illegitimacy of Beijing's rulers. In addition, Chen's election almost certainly marks a new round in the Washington power struggle over China policy between the Republican Congress and the Clinton administration.

While not flawless, the Taiwanese election went smoothly. A no-holds-barred campaign demonstrated the strong roots here of freedom of speech and freedom of the press. Eighty-two percent of the voters turned out, proving that Taiwan's citizens prize the right to vote and understood that they were offered a meaningful choice. The moment belongs to Chen and the DPP, but president Lee Teng-hui played a pivotal role in bringing about Taiwan's second democratic presidential election. Although demonstrations and "rioting" by disgruntled supporters of the longtime ruling party, the Kuomintang (KMT), dominated the postelection headlines, these relatively small protests reflect continuing tensions among KMT supporters dismayed by their defeat, not any repudiation of the election itself. Lee, even while resigning as KMT chairman, has already begun preparations for a calm

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and efficient transfer of power, the next critical step in the maturation of popular rule.

The election means that foreign leaders can no longer talk over the heads of the people of Taiwan, a point they should have realized, but didn't, in dealing with President Lee. Right through the election, the Clinton administration showed its inability to come to grips with reality on the island by trying to manage Taiwan as if it were run by mandarins rather than elected politicians. Just as U.S. diplomacy has to take into account the working of European democracies—and European diplomacy has to take into account America's domestic politics—so Washington must now internalize the reality that the president of Taiwan has as much popular legitimacy as the president of the United States.

But even more important, Beijing has to worry that its citizens, as they learn of the Taiwanese election, will immediately understand its implications. If the KMT can be peacefully removed from power on Taiwan, why should the Communists on the mainland be any different? One immediate question is whether Beijing will now attempt to curb the limited popular sovereignty it has allowed in Hong Kong. From Beijing's point of view, a completely free political system confined to Taiwan is bad enough; the prospect of the virus spreading across the mainland must be far worse.

Chen's victory also means that the open warfare over China policy between Republican leaders in Congress and President Clinton will intensify. Permanent normal trade relations between the United States and the PRC, already in jeopardy in Congress, are now even more uncertain. The outcome depends in large measure on how China reacts to Chen's victory in the next several weeks. If Beijing remains mostly quiet and refrains from any bellicose rhetoric or actual military action, permanent normal trade relations may be approved before the Fourth of July recess. But if Beijing unleashes a barrage of criticism of the "renegade province" and its bothersome voters, permanent normal trade relations may be dead for the rest of this election year.

Moreover, the Taiwan Security Enhancement Act, passed by the House of Representatives and pending before the Senate, will probably receive prompt consideration. This bill provides a framework for enhanced U.S.-Taiwan military cooperation, and has Beijing on edge. Many in Congress are now suggesting that the Taiwan Security Enhancement Act be voted on before permanent normal trade relations, thus putting the PRC on notice that normal trade status will not give Beijing a free hand in the region.

The election means that foreign leaders can no longer talk over the heads of the people of Taiwan, as they are accustomed to doing.

Finally, in the United States, intense debate on the future of the "one China" policy will now begin. Tom DeLay, the third-highest Republican in the House, has already called the policy an "obsolete failure," and many in Congress share his view. George W. Bush has declared the People's Republic a "strategic competitor" rather than, in President Clinton's phrase, a "strategic partner."

The stage is set for China policy to be an issue in this election year. But will our democratically elected leaders acknowledge, or understand, how much difference Taiwan's democratic achievement makes? ♦

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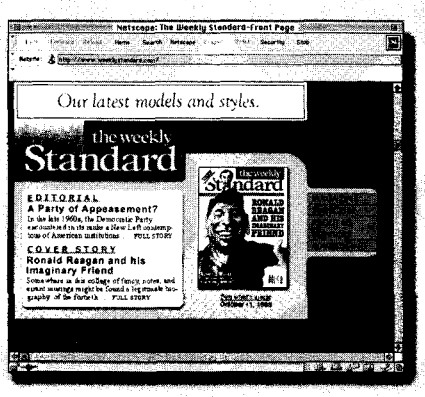

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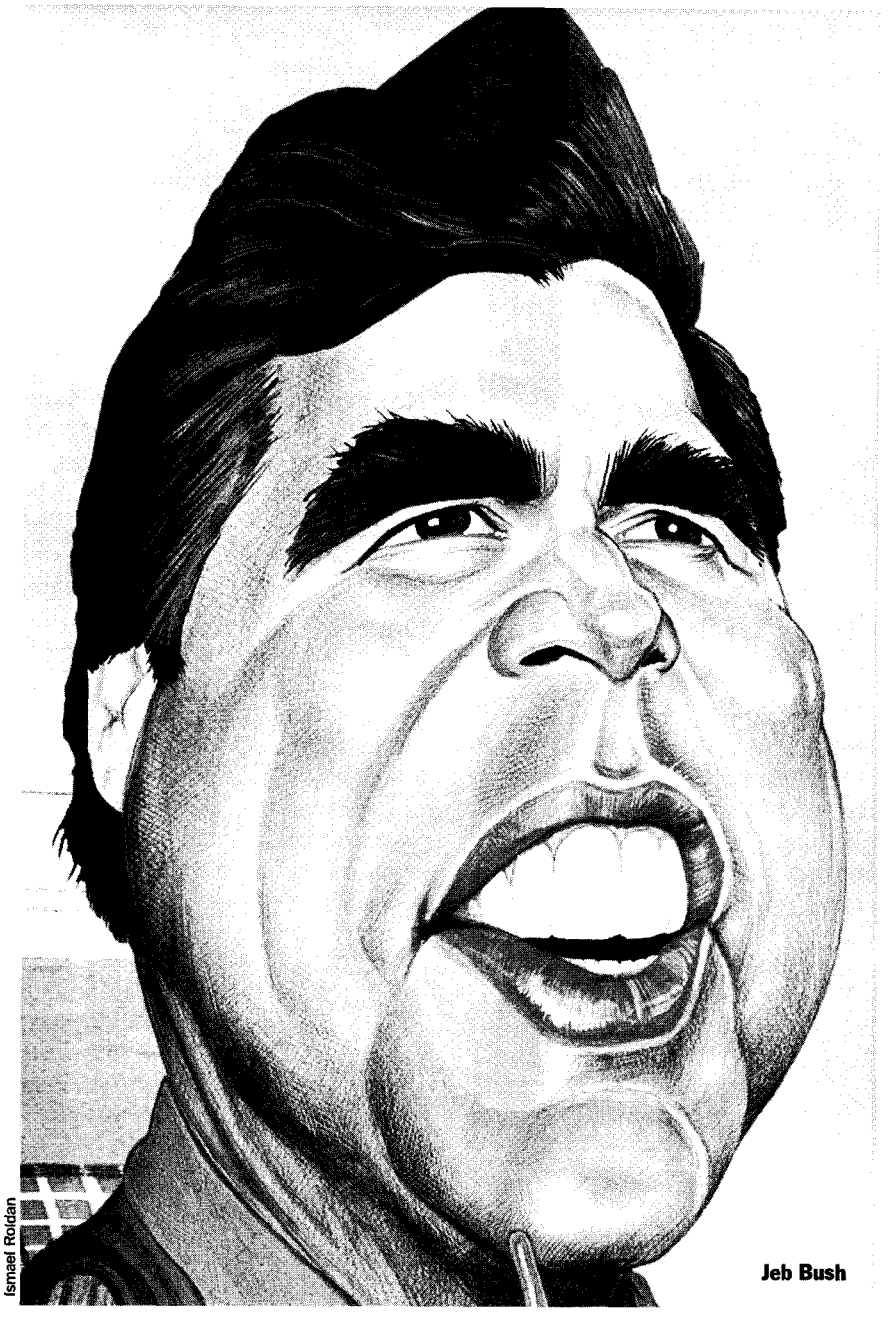

Ismael Roldan

Jeb Bush

A Pyrrhic Victory for Voucher Foes

Florida's school choice program is neither unconstitutional nor doomed. BY LEE BOCKHORN

WHEN A STATE COURT overturned Florida's eight-month-old school-choice program earlier this month, both sides reacted with emotion. It was "probably the worst day of our lives," said Tracy Richardson, mother of one of the 53 children who had received state "opportunity scholarships" to attend (mostly Catholic) private schools and so escape two awful Pensacola elementary schools. "I haven't been this happy in a long time. There is a God!" exulted Democratic state representative Debbie Wasserman-Schultz, while her ally, Florida Education Association president Pat L. Tornillo Jr., taunted the Bushes, both Florida governor Jeb and presidential contender George W.: "We stopped one brother. We're going to stop the other." Bob Chase, president of the National Education Association, said the ruling "puts a stake in the heart of the voucher movement."

Actually, the ruling by circuit judge L. Ralph Smith is less definitive than any of them think. But their reactions throw into sharp relief the priorities of the two sides in the battle over school choice.

Opportunity scholarships were just one part of Jeb Bush's larger "A+" education reform package. Under the plan, Florida schools receive grades based on their students' performance on standardized tests. If a school receives an "F" two years out of four, students can either transfer to another public school with a grade of "C" or better, or take a scholarship equivalent to the sum the state would have spent on them and use it to pay tuition at a private school. The 53 Pensacola students were the first students to benefit.

In an opinion largely lifted verbatim from the teachers' unions' briefs, Smith declared that the scholarships violate the state constitutional requirement that Florida "make adequate provision" for "a high quality system of free public schools that allows students to obtain a high quality education." According to Smith, this wording "is, in effect, a prohibition on the Legislature to provide K-12 education in any other way."

The state's lawyers disputed that this wording prohibits Florida from going *beyond* the requirement. Supreme courts in Wisconsin and Ohio have allowed voucher programs to stand under similar state constitutional guarantees. Furthermore, Smith's interpretation threatens an array of Florida programs under which the state pays for special-needs kids—those who are disabled, at-risk, or in juvenile justice programs—to go

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to private schools.

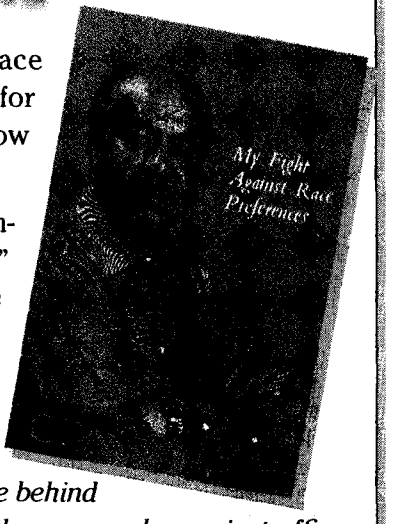
During oral arguments, Smith directed no questions to those challenging the voucher program, although they had the burden of proving it unconstitutional. Instead, he spent his time interrogating the lawyers for the state and the parents. At one point, he even suggested that the *kids* were responsible for the poor performance of the schools they had left behind, and questioned why they were being rewarded: "[T]hose students who are in that school who may have caused it to be an "F" school are now going to get a free education at a private school?" He also questioned why vouchers were necessary since students at "F" schools could transfer to better public schools. One lawyer responded that "the nearest good public school that has room for these kids . . . may be very, very distant, preventing a parent from being active in that school." Replied Smith, "We've been used to busing for a long time."

Regardless of Smith's ruling, Florida's short-lived experiment with vouchers has undermined the arguments often made against choice. Voucher foes claim that choice "destroys" public schools by "skimming" off their best students and robbing them of resources they need to improve. But the two Pensacola schools that lost students to vouchers were forced to react to the departure of so many children—and as a result, they *were* improving. Under the A+ Plan, Florida increases its aid to failing schools. The very day of Smith's ruling, the *New York Times* reported that the Pensacola schools were using that aid to add teachers and afternoon tutoring.

The state's lawyers were also prepared to present to the court reams of evidence—obtained by Freedom of Information Act requests—that demonstrate how hard other "F" schools were working to meet the challenge posed by vouchers. "Our worry now," says Clint Bolick of the Institute for Justice, which represented the families, "is that this ruling will halt the systemic reform of public education in Florida that opportunity scholarships were beginning to inspire."

Choice opponents complain that the failing Pensacola public schools have been trying to boost their performance by narrowing their curriculum to those subjects that appear on standardized tests (like math and reading) and concentrating on test-taking skills. But students who haven't first learned to read and add won't get much out of science and social studies.

Before Ward Connerly It Was Called Affirmative Action. Now It's Called Race Preferences.



■ First, Ward Connerly got the University of California to abolish race preferences. ■ Then came Proposition 209, which did the same thing for all of California. ■ After that it was I-200 in Washington State. ■ And now Florida.

Creating Equal: My Fight Against Race Preferences is about Connerly's effort to find that undiscovered country that lies "beyond race." But it is also about his unique—and uniquely American—journey, the powerful testament of a man who dared to challenge the way this country does its racial business.

"In this compelling book, which works both as autobiography and history, Ward Connerly again shows that quality which is now familiar in his character: courage. With unsparing honesty, he shows us the human life behind the public figure and thus answers the seeming mystery of how a black man can be against affirmative action—because his struggle to make a life in America as someone who is also black makes his commitment to fairness absolute. This book represents an all-American story and is also a document of the black American experience." —Shelby Steele

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It is concern for individual students' education that remains the overriding issue for voucher supporters. "[The teachers' unions] totally misunderstand this," says Patrick Heffernan, president of Floridians for School Choice. "This isn't about special-interest groups, or the law, or even schools. It's about the kids."

While education establishment leaders were gloating after Smith's decision, Bush, Heffernan, and their allies worked to ensure that the Pensacola kids could stay in their new schools while the state appeals the ruling. Within hours, they had raised nearly $200,000 in donations—enough to keep the students in their new schools next year. Now Heffernan's group is trying to raise money for the approximately 60,000 kids who might otherwise have become eligible for vouchers this fall. "The outpouring of sympathy for the families from around the state and even the nation has been amazing," said Heffernan, adding, "People recognize the sadness of this." ♦

The Coming Deal on Campaign Finance

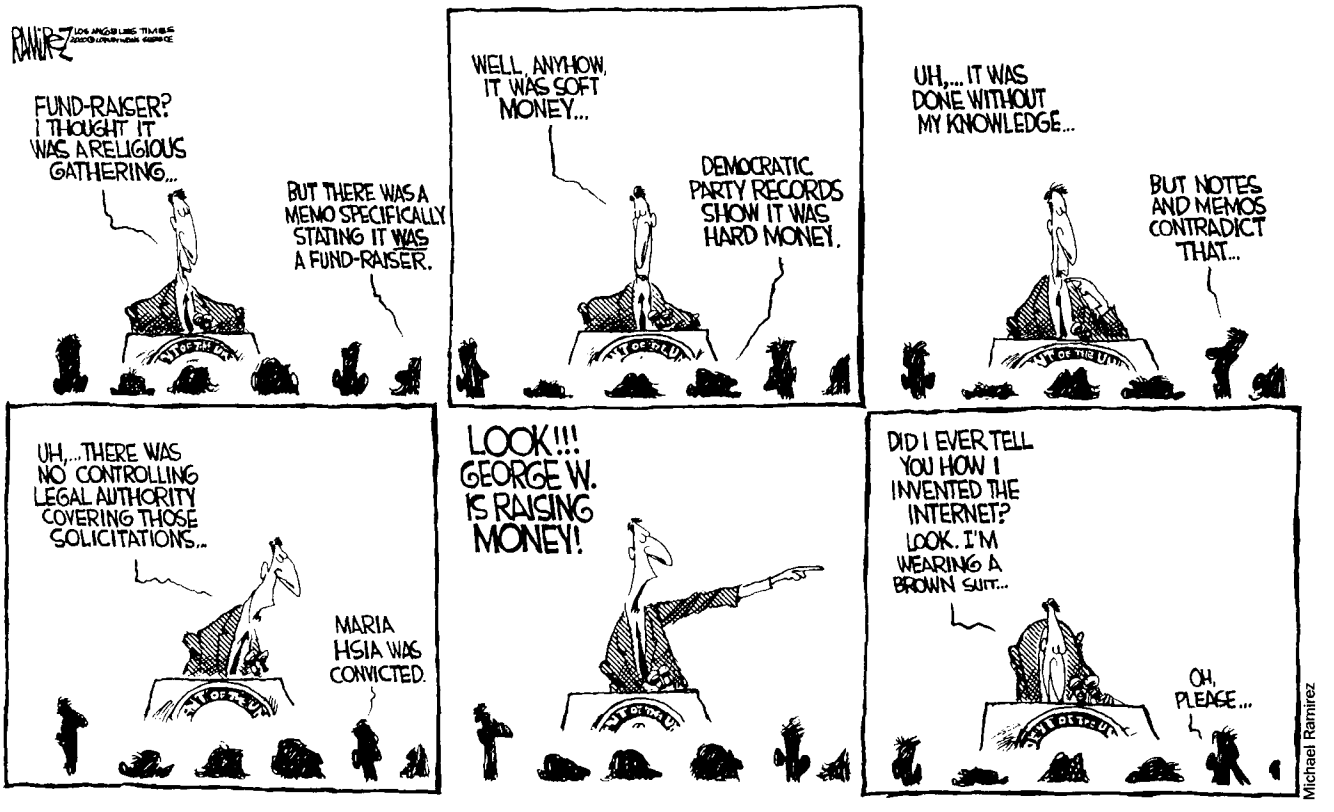
Here's a proposal that Bush, McCain, and the GOP leadership can support. BY NORMAN ORNSTEIN

JOHN MCCAIN RETURNED TO Washington last week from his post-campaign vacation in Bora-Bora. His first appearances on Capitol Hill had the kind of fanfare that greeted Elvis when he returned from Germany. McCain is a rock star, and, to their chagrin, his Senate colleagues are now like 99 roadies. None boasts the strong national following McCain now has.

That, of course, creates a dilemma for both the Senate Republican establishment, embodied by majority leader Trent Lott and Rules Committee chairman Mitch McConnell, and for George W. Bush. Lott and McConnell would just as soon treat McCain with the open scorn they showed him before his stunning presidential campaign; Bush would be cheered by his conservative base if he treated McCain with the icy disdain he showed in his March 16 interview with the *New York Times*.

But to do so would be foolish and counterproductive. Instead, they should, and probably will, make nice. To win the general election, Bush needs both McCain's support and McCain's supporters. And he needs a better position for himself and the

Norman Ornstein is a resident scholar at the American Enterprise Institute.



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Republican party on McCain's signature issue, campaign finance reform. The official GOP line—the system is just dandy, except that all limits need to be removed so candidates can bring in more money—will be hammered during the campaign, by McCain among others. Such a turn of events would undermine Bush as he tries to attack Al Gore, and leave both him and the GOP in the position of defending the indefensible. Fortunately, an opportunity is at hand to solve these problems in one fell swoop.

The Senate Rules Committee, led by Mitch McConnell, will soon take up a compromise campaign reform plan drafted by McCain ally (and potential Bush running mate) Chuck Hagel of Nebraska. The Hagel plan is different in several key respects from the McCain-Feingold bill Lott and McConnell oppose. It can be a perfect starting point for a new synthesis. Bush could get things moving by deputizing his Senate liaison, Paul Coverdell of Georgia, along with perhaps McConnell and Senate majority whip Don Nickles, to negotiate directly with McCain allies Hagel and Fred Thompson (with McCain, of course, kept in the loop during the negotiations). Although the gulf between the Bush/Lott/McConnell view and the McCain position seems large from the rhetoric and history, the Hagel plan shows that compromise is there to be had.

To be sure, any real and realistic reform compromise will provoke screams of outrage from the Hezbollah of the Right, led by Douglas Johnson of the National Right to Life Committee and the Rev. Pat Robertson (as well as by the Shiites of the Left, led by Ellen Miller of Public Campaign and John Moyers of the Florence Fund). But what could be better for Bush now than to show that he is not too timid to take on the loony elements of his own party?

What are the ingredients of a real reform compromise? They include the following:

1. End soft money—the right way. I know, I know—Bush took a clear stand in defense of soft money. He ought to rethink that position. Republicans outraise Democrats at every level of fund-raising; the advantage remains with or without soft money. Every opponent of complicated regulatory regimes should be opposed to soft money. It was a creature of a regulatory body, a separate source of money for "party-building," that has been systematically distorted and misused by both Democrats and Republicans. There should be one kind of money in politics, with no artificial distinctions in how the dollars can be used.

The trick is to make sure that there will be enough hard money for party activities. So here's an appropriate compromise: End soft money at the federal level. End all transfers from one state party to another, or from a state party to the national. And ban federal officials and candidates, including the president and vice president, from soliciting or raising state party soft money. Now comes Bush's opportunity for innovation.

Every opponent of complicated regulatory regimes should also be opposed to soft money, which has been misused by both political parties.

Create a separate limit on the hard money individuals can give to parties, and make it reasonably generous—say, $30,000 per year, indexed to inflation. Currently, individuals can give no more than $20,000 per year directly to political parties (out of a total of $25,000 they can give to parties *and* candidates). Given the power of individual candidates, that leaves little room for parties to raise hard money—which is why they have favored the soft variety. Creating a separate and generous limit for contributions to parties would solve that problem, while removing the worst abuses on the soft money side. It would eliminate the corruption that comes with unlimited contributions, especially the shakedown of donors by powerful politicians, and make everybody more honest.

2. Tackle the phony "issue ad" problem by barring unions and corporations from electioneering. Bush's own reform proposal called for eliminating corporate and labor soft-money contributions, leaving individuals alone. That reflected an understanding that corporations and unions should not be treated like individuals, a distinction both Congress and the Supreme Court have made. Congress banned direct corporate contributions for campaigns in 1907, and for labor unions in 1947. The Court has upheld those bans numerous times. Now unions, especially, have gotten into elections in a big way through the use of massive ad campaigns disguised as "issue advocacy," with little issue content, but lots of targeted attacks on lawmakers they want defeated. They can use union dues (as corporations can use money directly from their coffers) as long as their ads don't use the so-called "magic words" defined in a footnote in the Supreme Court's *Buckley* v. *Valeo* decision as express advocacy—words like "vote for," "vote against," "elect," or "defeat." Such ads often run right before an election and are clearly designed to elect or defeat candidates. Unions and corporations should be prohibited from using dues and corporate funds for such purposes.

3. Disclose the funders of electioneering ads. The First Amendment allows individuals the right to run issue communications. But voters have the right to know who is communicating. Bush's friends, the Wylys, who masterminded the attack ads run by "Republicans for Clean Air" against John McCain's environmental record, had a right to fund those ads. But they went out of their way to disguise their identity, paying two intermediaries to keep their role hidden. Major investigative work by reporters smoked them out, but few of these massive last-minute attack campaigns, especially if they target a congressman or senator, will be given the same scrutiny. Broadcast ads attacking candidates

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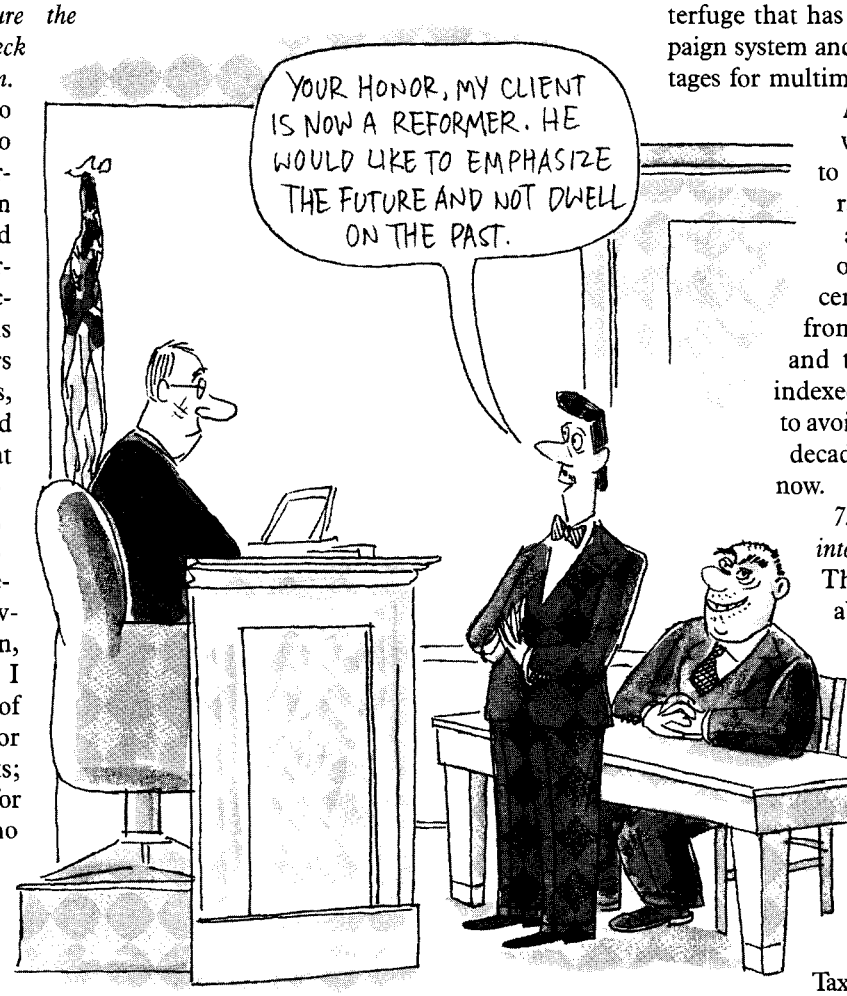
should have their sponsors and patrons—and not just some sham front person—disclosed. Broadcasters are required to record the sponsors of genuine campaign ads they air; they should have a similar requirement for these electioneering ads, but one that gets behind the façade and puts the identities of sponsors on the Internet for voters to see and assess.

4. Make disclosure the answer to the "paycheck protection" problem. There are two steps to take here. One is to stop unions (and corporations) from spending dues and revenues for ads clearly meant to win elections. The second is to make their leaders accountable. Unions, like corporations (and Congress, for that matter) are representative institutions, with elected leaders who are given discretion to use their revenues. As a citizen, taxpayer, and voter, I can't veto the use of my tax dollars for pork-barrel projects; all I can do is vote for representatives who share my values, by assessing how they vote.

The best way to hold elected leaders in representative institutions accountable for how they use the dues (or taxes) paid by those they represent is to have full disclosure of how the money is spent. Currently, corporations do not have to disclose in their annual reports any of their political spending, including soft money expenditures. Nor do unions have to disclose their spending of dues moneys on so-called "issue advocacy" campaigns and get-out-the-vote efforts. So push for real disclosure—then let union members who don't like how their money is being spent vote for new leaders.

5. Eliminate the new tax-dodges employed by campaign-law evaders. The latest rage, crafted by high-priced campaign finance lawyers, is to use Section 527 of the Internal Revenue Code. This section allows political groups to organize themselves in ways that shield them from having to file income tax returns and that allow them to raise unlimited sums of money from any source, including foreign ones. The groups are not required to disclose anything about their funds, and there are few limits, if any, on how the money is used. Powerful lawmakers like Tom DeLay are masterminding their own Section 527 groups, with no sunshine at all on who the donors are, how the money is being raised, or how it is spent. There is no First Amendment issue here, no question of regulations run amok—just a basic issue of right and wrong. This is wrong.



6. Raise the contribution limits for individuals. This is the element that gets the Left exercised, but their objections are wrongheaded. Low contribution limits make it harder for candidates to raise the money necessary to get their messages across. They encourage much of the fancy dancing and subterfuge that has taken over the campaign system and create unfair advantages for multimillionaire candidates. At a minimum, individual contributions to candidates should be raised to take into account inflation over the past quarter-century, raising them from $1,000 to $3,000, and they should now be indexed for future inflation to avoid the same problem a decade and more from now.

7. Get small donors back into the political system. The Left may be wrong about current contribution limits, but they are right that the field should not be dominated by the big guys. There has been a decline in the proportion of small donors involved at the federal level, dating back to the Tax Reform Act of 1986, which eliminated the tax credit for small political contributions. It is time to bring it back—this time as a 100 percent credit for contributions of $100 or less, with the credit limited to lower- and middle-income people. That would keep the cost down, and avoid giving a windfall to larger donors. Many states have their own tax credits for small donors—they work, bringing more people into the game and giving them a stake in the political system. This reform won't hurt Republicans—they actually raise more money from small

Peter Steiner

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What Should We Tell Our Kids About Drugs, AIDS and Needle Exchange?

THE TRUTH. Drugs are dangerous. One of the greatest dangers is the spread of HIV / AIDS. Needle exchanges prevent the spread of HIV among drug users and the general population where it is spread through sexual contact.

THE FACTS ON NEEDLE EXCHANGE

- According to Donna Shalala, the Secretary of Health and Human Services, "A meticulous scientific review has now proven that needle exchange programs can reduce the transmission of HIV and save lives without losing ground in the battle against illegal drugs."

  Source: Shalala, D.E., Secretary, Department of Health and Human Services, Press release from Department of Health and Human Services, (1998, April 20).

- "To date, nearly 40% of the 652,000 cases of AIDS reported in the United States have been linked to injection drug use. And more than 75% of babies diagnosed with HIV / AIDS were infected as a direct or indirect result of injection drug use by a parent."

  Source: Press release from Department of Health and Human Services, (1998, April 20).

- In 1996, 63% of the 375 new AIDS cases reported among children under age 13 were injection-related.

  Source: Based on the number of new AIDS cases among children under age 13 for which the exposure group was known. Centers for Disease Control, HIV / AIDS Surveillance Report, (Year-end edition), Vol. 8, No. 2.

Our Children Can Understand the Truth. Politicians should stop hiding behind children if they oppose needle exchange.

For more information visit: http://www.csdp.org.

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donors than Democrats do. It will probably help the GOP in another way, by putting the party on the side of the little guy.

8. Create a "seed money" mechanism to make it easier for non-wealthy candidates to get started. Early in a campaign, let candidates for federal office raise a maximum of $100,000 in contributions of up to $10,000—all immediately disclosed on the Internet and in the press. This would give potential candidates a chance to test the waters, form an organization, and get rolling. It would also lower considerably the many "barriers to entry" candidates now face.

9. Level the playing field for non-millionaire candidates. The First Amendment clearly protects individuals who spend their own money on their own campaigns. No reform can change that. But reforms *can* make it possible for non-millionaires to compete. How? Raise the contribution levels for candidates faced with opponents spending tons of their own money. If my opponent spends $100,000 of his or her own money, let me raise up to that amount in contributions of up to $10,000—and let me do so for each $100,000 a self-financed candidate spends. This will make it easier for non-millionaire candidates to run, and may discourage millionaire candidates from attempting to win by the sheer muscle of their bank accounts.

There is not a single element here that would violate any sacred principle held by Bush or his conservative adherents, that would seriously disadvantage the GOP, or that should trigger an adverse reaction from McCain or his allies. In the Senate, it might lose the Bob Smiths on the right and Paul Wellstones on the left, but could gain perhaps 70 votes across party lines. It is possible that it could trigger opposition from Democratic party leaders, and fail on a filibuster by the Democrats. That would be unfortunate, but it would put the GOP on the high ground, which would be the first time on this issue. There is a deal to be had. Will Bush, McConnell, and Lott have the foresight and fortitude to take it? ♦

The Reform Party Rolls the Dice

Ousted by Perot loyalists, Jack Gargan tries to rally his troops in Las Vegas. BY MATT LABASH

Las Vegas

HERE IN LAS VEGAS, sin and diversion beckon. There's the Elvis-a-Rama museum, featuring the King's Social Security card and husky-size jumpsuit. Or if your taste runs to the exotic, you've got your X-rated comedy hypnotists, nancy-boy master magicians, and the $5.95 steak-and-egg cornucopia down at Hotel San Remo. But we are not here for fun or sin (unless you count backbiting). We are here for yet another Reform party convention—the third in eight months. The party, to put it politely, is in disarray. Not so long ago, every Cybill, Donald, and Lowell was trying to catch a peek up Reform's skirt. But if the Reform party once resembled a demure maiden awaiting a gentleman caller, it is now a middle-aged harridan trying to conceive: She doesn't expect a long-lasting relationship, she just needs to further the bloodline.

The lucky suitor (who will receive Reform's $12.6 million in federal campaign funds) is Pat Buchanan. His forces have successfully infiltrated the anemic state parties. His good friend Pat Choate is interim party chair. And other Reform candidates, like Harvey Powell (convinced he orchestrated the Gulf War through covert faxes to the Secret Service) and Maharishi University professor John Hagelin, don't seem to be achieving lift-off—despite the latter's talent for yogic hopping.

But while the nomination picture is relatively clear, intraparty relations have grown exceedingly complicated. The perpetually in-fighting Reformers have proved too eccentric for Donald Trump. Governor Jesse Ventura's troops have disaffiliated so they can tend to the business of "the people of Minne-SOOO-da," which includes booking Ventura's TV appearances and selling his action figures over the Internet. Meanwhile, at a February meeting in Nashville, Ross Perot loyalists coupled with Buchananites to oust Ventura ally Jack Gargan from the party chairmanship. Gargan charged that the meeting was illegal, and refused to call it to order, which resulted in nearly an hour of shouting, shoving, and microphone tampering. Acrimony was so severe that Gerry Moan, a vice chairman who facilitated Gargan's ouster, informed national committee members that hotel security had fled the room because they were "afraid for their own safety."

Since Gargan, who was elected to the post just last July at a party convention in Michigan, disputes the legality of his ouster, the party has split in half and is entangled in litigation. The Perotistas assert that Gargan and his treasurer blew $600,000 of the party's $2.5 million in FEC convention funds in unauthorized expenditures. The Garganites have also sued, alleging that the Perotistas refused to hand over party monies, the website, and records while plotting a coup against Gargan just 45 days after he took power. Which faction is the true Reform party will soon be decided by a Virginia federal court.

In Vegas, everyone is convinced of the legitimacy of Gargan, who's working the crowd during a low-rent mixer at the Blair House Suites. Despite

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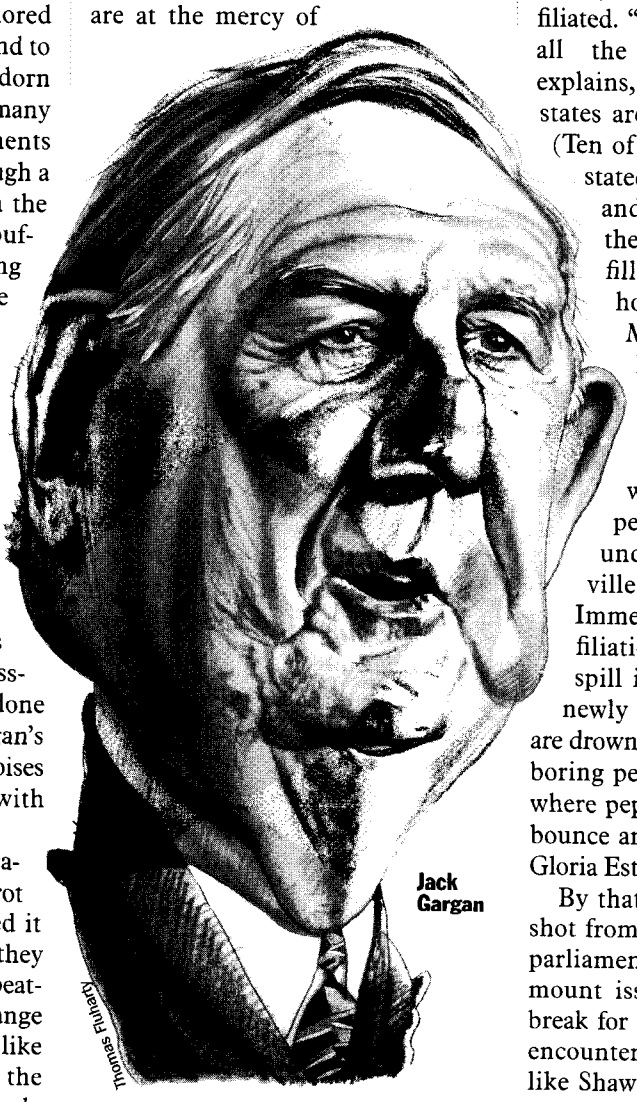
his spry St. Paddy's Day boutonniere, Gargan looks piqued. Not only has he been under pressure, but with his flight arriving well before his hotel's morning check-in, he's put in an 8-hour all-nighter at the Stardust casino's slots.

It's easy to distinguish the Reformers from the spring-breakers at this off-strip, terra-cotta motor court. The spring-breakers tend to get liquored in the hotel jacuzzi. Reformers tend to resist temporal pleasures, and adorn their shirts and ballcaps with so many badges that any sudden movements sound like a twister ripping through a scrap-aluminum plant. Not even the bologna-and-American-cheese buffet can spruce up the depressing surroundings, but that isn't the Garganites' fault. The emergency convention had been planned at the plusher Alexis Park Hotel, until Perotistas spooked the hotel management with litigation threats, leaving the Garganite convention in what Perotista spokesperson Donna Donovan calls a "BYOLC" (Bring Your Own Lawn Chair) lurch. Garganites say they are used to such harassment, claiming Perotistas have done everything from filling Gargan's answering machine with shrill noises to spamming their computers with pornography subscriptions.

While trying to obtain the location of the new meeting place (Perot henchman Russ Verney suggested it should be in Roswell, N.M., "so they can return to their roots"), I'm repeatedly told it's "out behind the orange dumpster." The directions sound like some sort of counterspy argot, the Reformese equivalent of "the eagle has landed." But sure enough, to get to the meeting, now scheduled for a conference-suite complex beneath a parking garage, one must walk around a barbed-wired lot, behind an orange dumpster.

The convention is not easily convened, however. To avoid getting ambushed by the Perotistas on a technicality, Gargan decides he must open the convention at the Alexis Park (the officially declared site), then reconvene at the new locale. As a gaggle of supporters gather around an Alexis Park breakfast table, startling a group of Japanese tourists, Gargan gavels the meeting to order then quickly recesses to meet up with the 200 or so conventioneers behind the orange dumpster.

Once at the actual convention, we are at the mercy of



Jack Gargan

Tim Thompson. In his bolo tie and cowboy hat, Thompson looks like he just finished punching cattle across the eastern Mojave, though he's a plumbing contractor from Illinois. As Gargan's parliamentarian, Thompson has spent several hundred hours studying *Robert's Rules of Order*, the Bhagavad-Gita of a party that is loaded with frustrated parliamentarians. In such a room, it is nearly impossible for 30 seconds to elapse without a "Point of clarification!" or a "Call the question!" disruption. But Thompson and Gargan cause a hush when they announce they've stumbled upon a Reform party rules technicality that has, until now, been a dead letter. It seems that if 25 percent of a state's delegates aren't in attendance, those state parties can be disaffiliated. "What we have done is shed all the troublemakers," Gargan explains, as it is determined that 36 states are, as of today, disaffiliated. (Ten of those delegations are reinstated after electing new officers and composing bylaws during the lunch break. One reporter, filled with Reform spirit and hoping to become the new Montana chapter, composes his bylaws thus: "I can do whatever I want—whenever I want!")

It's a political purge that would do Mao proud, though perhaps such measures are understandable after Nashville's anti-Gargan putsch. Immediately following the disaffiliations, Garganite Reformers spill into the hall to argue over newly vacated party posts. They are drowned out, however, by a neighboring personal-growth convention, where peppy motivational wranglers bounce around, Jazzercise-style, to a Gloria Estefan sound track.

By that evening, my synapses are shot from enduring several hours of parliamentary bickering over paramount issues such as how long to break for dinner. Or maybe it's from encountering Reform party regulars like Shawn O'Hara, a former Southern Baptist evangelist running for Trent Lott's Senate seat. He claims to have written over 900 books, such as *I Knew Ted Bundy*, and vows, if elected, to "outlaw mandatory homework" for schoolchildren. In any case, heading back to my hotel, I see a sign outside the casino, a sign intended to deter problem gambling, but one begging to be posted at the next Reform party convention. It reads: "Winners know when to quit." ♦

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Is Bioethics Ethical?

Increasingly in America, key questions about life and death are being decided by vulgar utilitarians who call themselves ethicists.

By Wesley J. Smith

The case of *James H. Armstrong, M.D.* v. *The State of Montana* should have been merely a skirmish in the never-ending national struggle over abortion. Instead, relying on the reasoning of certain "experts" in the moral choices surrounding health care, the Montana Supreme Court issued in October 1999 a sweeping decision that could make huge changes in the way Montanans live—and the way they die.

What happened in Montana is happening across the country, usually less dramatically but nonetheless steadily. The United States has a bad case of "expertitis," and for many years we have been ceding to experts control over our public decisions. Now the most important questions about health care have been added to the list. Decision making has been quietly co-opted by "bioethics," a genre of philosophical discourse practiced by an elite group of academics, philosophers, lawyers, and physicians, many of whom are openly hostile to the sanctity of life and the Hippocratic traditions that most people still take for granted.

Bioethicists spend much of their time arguing with one another, beneath—or, more accurately, above—the public radar, in arcane academic journals, books, university symposia, and government-appointed commissions. This is no empty intellectual enterprise, but a project aimed at changing America. In the course of their arguments, bioethicists are arriving at a consensus about the course of our medical future, and they are slowly succeeding at transforming the laws of public health and the ethics of clinical medicine in their own image.

At issue in the Montana case was a state law requiring that doctors (as opposed to physician-assistants) perform all abortions. This the court unanimously overturned; but it didn't stop there. Writing for a 6-2 majority, Justice James C. Nelson went on to impose a radical philosophical imperative on the people of Montana, unwarranted by the facts of the case and unnecessary to its prudent adjudication. Indeed, Nelson's audacious opinion will be grist for litigation in Montana for many years to come.

Its essential holding is this: "The Montana Constitution broadly guarantees each individual the right to make medical judgments affecting her or his bodily integrity and health in partnership with a chosen health care provider free from government interference." As the two justices who objected to the scope of the ruling, Karla M. Gray and Chief Justice J.A. Turnage, warned, "the Court's opinion sweeps so broadly as to encompass and decide such issues as the right to physician-assisted suicide and other important health and medical-related issues which simply were not litigated in this case."

Gray and Turnage's trepidation is abundantly warranted. If the ruling means that virtually anything goes medically in Montana so long as a patient requests it and a health care professional is willing to provide it, then patients can ask doctors to kill them for organ-donation purposes, parents or guardians can secure the killing of disabled infants, and people can volunteer to be experimented on in dangerous ways that are currently illegal—all this as a result not of a considered decision by the people of Montana but of a little-noticed ruling by the state supreme court.

As it happens, the Montana constitutional convention that created the state right to privacy in 1972 explicitly refused to include abortion and other medical issues in the privacy guarantee. So, to justify its ruling, the court looked to precedents like *Roe* v. *Wade*, the 1973 U.S. Supreme Court decision that legalized abortion nationwide. Even more than on case law, however, the Montana court relied on philosophical treatises. In particular, the authority it

Wesley J. Smith's book The Culture of Death: The Destruction of Medical Ethics in America *will be published later this year by Encounter Books.*

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cited most frequently is the book *Life's Dominion: An Argument About Abortion, Euthanasia, and Individual Freedom* (1993), by the attorney and bioethicist Ronald Dworkin.

Dworkin's thesis is that true adherence to a modern understanding of the sanctity-of-life ethic requires that all of us be permitted to "decide for ourselves" about abortion and euthanasia and that our decisions be accepted by society and tolerated by those who disagree. Otherwise society is "totalitarian." The majority opinion in *Armstrong* cites *Life's Dominion* so many times and applies its reasoning so enthusiastically that Ronald Dworkin's philosophy may now be considered the court-mandated health care creed of the state of Montana.

Dworkin's triumph in *Armstrong* v. *Montana* illustrates the growing influence of bioethics. To become a bioethicist isn't hard. No tests have to be passed; practitioners are not licensed, like attorneys, physicians, real estate agents, and hairdressers; and, while more than 30 universities offer degrees in bioethics, there are no standards of excellence that generally apply. A Catholic priest may be a bioethicist, as may an atheist college professor. Health care professionals such as nurses and community ombudsmen may get appointed to hospital ethics committees, take a few training courses, and call themselves bioethicists. Indeed, I could say that I am a bioethicist, having written and lectured extensively on the ethics of assisted suicide and the withholding of medical treatment from dying and disabled people.

Mainstream bioethics shrugs off equal human moral worth—like Hippocratic medicine—as a relic of the past.

The mere designation, however, does not give one influence within the bioethics movement. That is to say, there is a very big difference between being a bioethicist and subscribing to the ideology of mainstream bioethics. It is the adherents of the ideology who matter and who hold a steadily increasing sway over the laws of public health, the application of medical ethics, and the protocols that govern hospital care.

This phenomenon is relatively new. It began about 30 years ago as an intellectual exchange among medical ethicists, philosophers, and theologians with widely varying views about how to resolve the dilemmas presented by the growth of technological medicine. In the early years, there was a robust contest for the heart and soul of the movement. Adherents of human equality and the sanctity of life, such as the late Paul Ramsey, were pitted against utilitarians who emphasize the quality of life, such as the late Joseph Fletcher, the patriarch of modern bioethics. Over the years, the Ramsey school made crucial contributions—most notably, helping promote the right to refuse unwanted medical treatment—but steadily lost influence. Today, mainstream bioethics is substantially homogeneous in outlook, and the primary differences among bioethicists concern the proper ways to apply generally agreed-upon values to health care policy and individual medical decisions. It is in this sense that bioethics has become an ideology, albeit one that not every bioethicist shares.

In order to have clout within the bioethics movement and seriously affect the discourse that is its hallmark, one must subscribe to its intellectual underpinnings. Pro-lifers have no influence, by definition, and those whose advocacy is rooted in religion are usually ignored. Mainstream bioethics reached a consensus long ago that religious values are divisive in a pluralistic society and thus have little place in the formulation of public policy. Those who believe in abortion rights but also hold that all born humans are equally endowed with moral worth, along with those who subscribe to the "do no harm" ethos of the Hippocratic oath, have little impact, since mainstream bioethics rejects Hippocratic medicine as paternalistic and shrugs off equal human moral worth as a relic of the West's religious past.

In mainstream bioethics, human beings per se have no special rights or moral value. The movement as a whole no longer thinks in that idiom. Instead, it overwhelmingly embraces a quality-of-life ethic that requires individual humans to earn their moral and legal rights by displaying certain cognitive capacities. This is usually described as achieving the status of a "person." As we shall see, the criteria for personhood are still a matter of debate among bioethicists. But the notion that personhood rather than humanness is what counts in determining moral worth and legal rights is nearly universally accepted within the mainstream movement and has been taught in American universities and colleges to a whole generation of students. Bioethics ideology rejects person status for newborns, people with severe brain damage, and those with dementia, all

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of whom it regards as beings of lesser worth than those with more developed frontal lobes. There is serious debate within bioethics, however, whether to extend personhood to some animals ("nonhuman animals," in bioethics parlance), even as it is being stripped from some humans.

Part of what makes this alarming is that the values and presumptions of bioethics ideology are not shared generally throughout society. Unlike adherents to this ideology, most people believe that being human in and of itself confers a special moral status. Most people view a newborn infant as having the same moral worth as all other humans and want their doctors to subscribe to the Hippocratic oath. This means that, as the government, the law, and organized medicine rely increasingly on "expert" bioethicists to supply the answers to public policy dilemmas in areas such as cloning, stem cell research, health care rationing, and organ procurement for transplantation, those answers are likely to be based on beliefs not generally shared by the people affected. More and more, public policies and medical protocols are likely to conflict with, rather than reflect, the values of the citizenry.

Typically, bioethicists' work erodes moral values slowly, through a process insiders call "policy creep."

If bioethics ideology is out of step with mainstream American thinking, however, it is entirely consistent with the mindset of the elite. As Daniel Callahan, one of the movement's pioneers, wrote in the *Hastings Center Report* in 1993, the "final factor of great importance" in bioethics' success was the "emergence ideologically of a form of bioethics that dovetailed nicely with the reigning political liberalism of the educated classes in America."

It is not surprising, then, that movement bioethicists have become among society's most powerful members or that their work affects American culture from top to bottom: They serve on federal and state public policy commissions. They write health legislation. They teach the next generation of doctors, lawyers, business executives, and government policy makers in our institutions of higher learning. They are paid by HMOs to consult on issues such as when desired medical treatment can be withheld or withdrawn unilaterally. They direct hospital and nursing-home ethics committees that make or influence decisions ranging from whether to withhold treatment from premature infants to whether to pull feeding tubes from stroke patients who are not dying. They testify as expert witnesses in court cases and submit friend of the court briefs in legal cases of major significance, thereby affecting the evolution of law. They serve on institutional review boards that oversee the ethics of medical experiments using human subjects. They help write protocols governing organ procurement. Occasionally, their work leads to startling lurches in the law, as in Montana. More typically, their advocacy erodes ethical standards and values slowly, as waves transform shorelines, through a succession of subtle changes in public policy and medical ethics—a process known within the movement as "policy creep."

What makes this especially worrisome is that once a policy is formally adopted or embedded in law, it has the power to modify the beliefs of the people it affects. Thus, the patriarch, Joseph Fletcher, viewed the field expansively, as determining how "we are to live and act," a "wisdom" he deemed "specially appropriate to the medical sciences and medical arts." Some bioethicists see themselves as the creators of a new moral paradigm that will replace the archaic Judeo-Christian order as the philosophical underpinning of society.

To appreciate fully the mindset of bioethics and the consequences that will flow from its growing influence on public policy, one need only look to the journals in which its leading thinkers communicate with one another and with their colleagues in the trenches of American medicine—in physicians' offices, on hospital ethics committees, at consultancies advising nursing homes—where bioethics values affect everyday decisions. Two of the most prominent journals devoted exclusively to bioethics are the *Hastings Center Report*, a bimonthly published by the bioethics think tank the Hastings Center, of Garrison, New York, and the *Kennedy Institute of Ethics Journal*, a quarterly published by Georgetown University. Although not every article in these publications embraces bioethics ideology, the vast majority do. These journals channel the discussion in a definite direction.

The December 1999 issue of the *Kennedy Institute of Ethics Journal* is a case in point. It concentrates on the continuing debate over personhood. A person, the journal's introduction says, is "someone morally considerable who is the subject of moral rights and merits moral protec-

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tion." Most people would say that all human beings qualify. The authors of several articles disagree.

The lead author, John Harris, the Sir David Alliance professor of bioethics at the University of Manchester, in England, claims that it is necessary to establish the criteria for personhood so as to "identify those sorts of individuals who have the 'highest' moral value or importance." It is not life per se that is dispositive, but life of such quality as to "bring [individuals] into the same moral categories as ourselves." Being human alone does not do the trick: Personhood theory creates castes of "us" and "them," in an explicit hierarchy of human worth.

Harris makes a rather astonishing assertion, considering the brouhaha over abortion. He baldly states that human life begins at conception. This, of course, does not mean he opposes abortion—to the contrary. Remember, it is not human life that matters in personhood theory; human beings do not deserve special status merely because of their species. Harris blandly denigrates unborn human life: "The human embryo and fetus," he writes, "in all stages of its development from conception to birth is no more interesting or complex than the embryos of other creatures and indeed no more interesting than the adult forms of other creatures, for example cats and canaries."

To Harris, fetuses and newborns are not persons, nor are those with significant cognitive disability.

Harris next opines that the exploration of who is a person must include animals, because the exclusion of fauna from personhood deliberations would be arbitrary and an act of "speciesism"—a claim of superiority based on species, which Harris considers as "disreputable" as an assertion of superiority based on "race, gender, nationality, religion, or any other nonmoral characteristic."

So, who (or what) should duly be deemed a person? To Harris, a person is "a being that can value existence." This means "persons might, in principle, be members of any species, or indeed machines." He explicitly states that fetuses and newborn infants are not persons, nor are people with significant cognitive disability or dementia.

The ultimate purpose of personhood analysis is to determine whom we can kill and still get a good night's sleep. Harris writes, "Persons who want to live are wronged by being killed. . . . Nonpersons or potential persons cannot be wronged in this way because death does not deprive them of something they value. If they cannot wish to live, they cannot have that wish frustrated by being killed." So much for the moral wrongness of murdering newborns and throwing them into trash dumpsters.

In the same issue of the *Kennedy Institute of Ethics Journal*, Georgetown's Tom L. Beauchamp, co-author with James F. Childress of one of the most influential bioethics textbooks, *Principles of Biomedical Ethics*, also writes about personhood, taking a different route to essentially the same destination as Harris. Beauchamp asserts that the key to determining personhood is analyzing whether a being enjoys "moral personhood," which he calls both a "cognitive and moral-capacity criterion" for possession of moral rights. He writes, "It is safe to assume that a creature is a moral person if (1) it is capable of making moral judgments about the rightness and wrongness of actions and (2) it has motives that can be judged morally."

Beauchamp, like Harris, asserts that under his theory, "unprotected persons would presumably include fetuses, newborns, psychopaths, severely brain-damaged patients, and various demented patients." Beauchamp does not believe that moral personhood should be the sole basis for moral rights or that animals can be moral persons, but he does assert that humans who are not moral persons may be treated with the same levels of respect or exploitation as animals are now; some humans are "equal or inferior in moral standing to some nonhumans." "If this conclusion is defensible," he writes, "we will need to rethink our traditional view that these unlucky humans cannot be treated in the ways we treat relevantly similar nonhumans. For example, they might be aggressively used as human research subjects and sources of organs." In other words, Beauchamp holds out the prospect that we may someday exploit living infants and cognitively disabled human beings as if they were mere natural resources.

The November-December 1999 *Hastings Center Report* focuses on the ethics of expanding organ procurement from "non-heart-beating cadaver donors," that is, people who have died from cardiac arrest instead of "brain death." Much of the discussion has to do with how long doctors should have to wait after a heart stops beating before judging the donor dead for purposes of organ pro-

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curement and still be in compliance with the "dead donor rule," which requires that donors of vital and non-paired organs be dead before having their organs procured. (Many bioethicists want to discard the dead donor rule, to increase organ availability, but that argument is not made here.) Some organ centers currently wait only two minutes after the cessation of the heartbeat to procure organs; a recent bioethics panel recommended five minutes. The arguments are important, but arcane, and would take too long to explain here.

That said, the ultimately utilitarian approach of mainstream bioethics is much in evidence. John A. Robertson, holder of the Vinson & Elkins chair at the University of Texas Law School, where he teaches criminal law, constitutional law, and bioethics, makes an audacious proposal. He notes that until and unless law and medical ethics discard the dead donor rule, as many bioethicists urge, it will be impossible to use such people as anencephalic infants (babies born with most of their brains missing) or unconscious people as vital-organ donors. Even with the dead donor rule in place, however, Robertson suggests that single kidneys and some other body tissues could be harvested from such people, who "would not be directly harmed by such use." Again, the proposal is to use cognitively disabled people as mere natural resources. One wonders whether the New Mexico woman who recently woke up after being unconscious for 16 years would have objected had she awakened to learn that one of her kidneys and her corneas had been taken from her on the theory that the loss of them could not harm her.

Bioethicists tread gingerly in pushing their agenda into policy, for fear of what they jokingly call "the yuck factor."

Like ruminating cows, bioethicists earnestly chew and rechew their ideas until they have explored every nuance, considered every implication, and the movers and shakers of the movement have achieved consensus about a particular approach. When that point comes, public policy often changes fast: Notice the speed with which removing feeding tubes from unconscious, cognitively disabled people became ethical and legal throughout the country once bioethicists agreed it was no different morally from withdrawing antibiotics.

If mainstream bioethicists tread gingerly in pushing their agenda into policy, it is for fear of a public backlash, provoked by what bioethicists jokingly call "the yuck factor." For those of us who believe that bioethics is directing us down immoral and dangerous paths, this fear of the light offers the best hope of an antidote. Since it is almost surely too late to transform the movement's utilitarian assumptions from within, keeping the movement contained inside the academy appears to be the most promising strategy to prevent our society from being remade in bioethics' image. To do this will require heightened media scrutiny and public awareness of what ideological bioethics is, what it stands for, why it matters, and what consequences will befall us all if the "new medicine" becomes our future.

That is easier said than done, of course. But there are ways. The ideology could be engaged vigorously, from the grass roots to the academy to the halls of Congress. Philanthropists could be persuaded to endow academic chairs dedicated to exploring human equality as the basis for health care law and policy, much as bioethics chairs are used to promote the quality-of-life agenda. Politicians, devoted to their constituents' welfare, could resist the bioethics tide. Nonprofit groups could be formed to follow the bioethics movement, publish journals, engage the proponents in public debate, and alert the media to particularly noxious developments. The popular media, especially television and radio talk shows, could recognize the urgency of covering bioethics as seriously as they cover politics. After all, are not issues like personhood and the harvesting of organs from living people as compelling as tax policy and welfare reform?

Beyond the media, a counter-bioethics movement could be created by those who believe that the only truly moral way to resolve the dilemmas with which bioethics grapples is by strict adherence to universal human equality. Perhaps this new, ethical bioethics could be called "human-rights bioethics." It would boldly promote the proposition that there is no "them and us"—only us. Surely, an abundance of academics, physicians, lawyers, disability rights activists, patient advocates, theologians, and just plain people would be willing to stand up proudly for the equal moral worth of all living people. For now, their rallying cry could be: No more Montanas. ♦

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The Use and Abuse of Fetal Tissue

Without realizing it, Americans have embarked on a fateful experiment: treating human bodies as commodities.

By Neil Munro

To secure the promised wonders of the biotech future—the miracle cures and abundant, nutritious foods—but to do so responsibly and ethically, politicians and scientists have put in place a web of laws and regulations intended to check the hubris of researchers and the greed of entrepreneurs. Often, these protections are effective. Sometimes, though, they are stronger than is useful—and sometimes they are entirely illusory.

Notable among the illusory safeguards are the supposed curbs on the use in medical research of tissue from aborted human fetuses. Recent revelations about the trade in fetal tissue not only prompted a congressional hearing earlier this month; they also revealed the relevant law to be a fabric of exemptions, obfuscations, and loopholes, with the result that the for-profit use of vibrant tissue from aborted fetuses is scarcely restricted. Because the law sounds strong on its face, and because the press and politicians are squeamish about the whole subject, the actual lack of oversight, regulation, or ethical limits on the exploitation of body parts from healthy fetuses by for-profit corporations and university researchers has passed largely unnoticed.

The law in question is the National Institutes of Health Reauthorization Act of 1993. One of its purposes was to erect a wall of anonymity between donors of fetal tissue and users, to prevent the deliberate conception of fetuses for use by family members or sale to wealthy buyers. That much seems to be working—though in the absence of oversight, no one knows for sure.

The cluster of issues surrounding the ownership of fetal tissue is more complicated. The law attempts to deal with these issues by requiring abortion clinics to secure the written permission of a mother before her fetus is handed over to scientists or middlemen and by forbidding payment for such maternal permission. One's view of this requirement depends on one's view of abortion.

To those who hold a pro-life view, the aborted fetus is a human person who cannot be donated by the person who chose to abort it. Meanwhile, to those who regard the fetus as only "the product of conception," mere "fetal tissue" owned by the mother, once the mother has given her consent, the law should allow the tissue to be traded freely, like hair, semen, or blood. Moreover, under this view, the mother should get a share of any profits earned from scientists' use of her property.

A third perspective—the one enshrined in the 1993 law—is a utilitarian mishmash of the first two. According to this view, it is only rational—and therefore moral—once an emerging human has been aborted, to exploit the remains in science and commerce. Although this rational-utility argument is popular among scientists and abortion-choice supporters, few voice it as enthusiastically as Suzanne Poppema, president of the National Abortion Federation. "If I was a sentient fetus," Poppema told me, "I would do fetal research with myself . . . probably a whole bunch of [fetuses] would choose research. . . . [They would] cease to exist, rejoin the general energy in the universe and contribute to medical research." In other words, the rational fetus would want it that way.

While legislators may espouse Poppema's logic, they are much too prudent to say so plainly in public. In the 1993 statute, they gave their utilitarian intentions a pro-life fig leaf by making the sale or purchase of fetal organs a crime punishable by 10 years in jail. But they also smoothed the way for the scientists and businessmen by eliminating the mother's property rights and denying her a share of any profits flowing from research. And they crafted the loopholes. The intra-state sale of organs, for example, is unrestricted, and "reasonable payments" are permitted for the processing and transportation of organs between states. And presto! The supposed ban is gone.

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As a result, there has grown up exactly what the law's proponents wanted all along but were loath to admit: a national network funneling fetal tissue to for-profit researchers. There is so much money to be made from biotech breakthroughs that this network has become a bustling, if mostly hidden, market where companies like Opening Lines of West Frankfort, Illinois, and the Anatomic Gift Foundation of Laurel, Maryland, will sell you fetal eyes for $50 and charge $200 to $1,000 for first-trimester brains.

The requirements of this sophisticated market explain another phony restriction in the 1993 law: a ban on departures from standard abortion procedures. Its advocates trumpeted this provision as protecting mothers from abortionists' use of risky procedures designed to produce fetal tissues with high market value. Extracting the fetus intact (as opposed to dismembering it), for instance, enhances the organ-seller's ability to secure desired parts; refraining from using poisons to kill the fetus keeps tissues pure; and delaying the killing as long as possible—to shorten the time between death and arrival in the lab—keeps organs fresh.

There is so much money to be made in biotech that the market in fetal organs is bustling, if mostly hidden.

A few moments' conversation with a for-profit tissue collector, however, makes plain that such departures from normal procedures are common, and a word with a lawyer shows why: The legal ban applies only to perhaps 10 percent of the fetal-tissue research funded by the federal government. It does not apply to the 800-odd yearly grants given out by the National Institutes of Health since 1993, at a cumulative cost of roughly $110 million, for various experimental projects involving fetal tissue. Nor does it apply to privately funded work performed in universities and corporations, whose scale is unknown because the federal government collects no data about it. The evidence, though sketchy, suggests there are thousands, perhaps tens of thousands, of fetal-organ transactions every year.

Technically, the supposed prohibition on unconventional abortion procedures applies only to a few clinical trials, paid for by the Department of Health and Human Services, in which fetal tissue is transplanted into adults. And even here, doctors may modify abortion procedures in any way they wish providing they sign a form declaring that the changes were not made "solely" to secure desirable tissue.

For what it's worth, an opportunity to test this loophole-riddled law presents itself: Dr. Curt Freed, a Colorado scientist who has used NIH money to transplant fetal brain tissue into human patients, acknowledged to *National Journal* in February that his team had acquired 1,000 brain specimens extracted by abortion techniques deemed non-standard by two abortion manuals. Freed said the suction abortions were performed with tubes 10 millimeters wide. According to Poppema at the National Abortion Federation, such large tubes would increase the pain and risk to patients. Said Poppema (who herself supplies first-term aborted fetuses to NIH), "I don't do it that way, and I don't know anybody who does."

The developments leading to the House hearings began when Life Dynamics Inc., a pro-life organization in Denton, Texas, started looking into this ghoulish business. Eventually representatives of Life Dynamics placed documents such as fetal-tissue sellers' price lists in the hands of journalists and politicians, sparking a flurry of interest. Hearings ensued on March 9 before the Health and Environment Subcommittee of the House Commerce Committee. What they mainly exposed, however, was the utter ineffectuality of the existing legal restrictions on the fetal-tissue trade.

At the hearing—the first public investigation of the commerce in fetal tissue since its beginnings in the 1960s—interest focused on the work of one Dr. Miles Jones, head of Opening Lines. The greediest of the organ-traders, Jones had been foolish enough to boast before *20/20*'s hidden camera that he sold organs for whatever the market would bear; ABC aired the *20/20* feature on March 8. Democrats and Republicans joined in asking the Justice Department to arrest him, and he is now being sought by the FBI.

But Dr. Jones is likely to be protected from any punishment remotely resembling the 10-year prison term allowed under the law: His friends in the prestigious universities and politically powerful biotech corporations that were his clients will see to that. Because the law bars

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the purchase as well as the sale of organs, all these buyers are theoretically on the same legal griddle as Jones. If federal authorities fail to charge them, Jones can tell a judge that he is a victim of selective prosecution. The likely result is a plea bargain giving Jones a token punishment and keeping the well-connected buyers' names out of the public record. In the future, sellers will be more circumspect—like LeRoy Carhart, the operator of an abortion clinic in Nebraska, who gave second-trimester fetal brains to researchers at the University of Nebraska. In exchange, Carhart received a reasonably prestigious title at the university, but because the organs were conveyed within Nebraska, the transaction did not violate the 1993 ban on the tissue trade.

One might have thought that all this evidence would provoke bipartisan outrage in Congress. Instead, the pro-research alliance of some Republicans and almost all the Democrats retained the upper hand. In exchange for a big concession—the pro-research faction reluctantly allowed the March 9 hearing to be open to the public—pro-life Republicans were forced to promise not to name names at the hearing (other than Jones) or to ask questions about the tissue trade generally. Thus, the pro-research members, led by Henry Waxman (D-Calif.), had a free hand to portray Jones as the single bad apple in an otherwise excellent barrel.

An ethical conflict is resolved with a lawyer's trick: a consent form signed by the mother wipes away all scruples.

They further undermined prospects for a broader inquiry by attacking the credibility of a witness called by pro-lifers, researcher Lawrence Dean Alberty, who had dissected dead fetuses for Jones's company as well as for the Anatomic Gift Foundation before assisting Life Dynamics Inc. with its inquiry. Alberty had partly retracted or caviled some of his earlier statements, and he admitted accepting $20,000 from Life Dynamics Inc.—to cover his time and expenses during the investigation. Alberty's retraction, interestingly, had come after his former employer, the Anatomic Gift Foundation, had threatened to sue him for violating the non-disclosure terms of his employment contract—the kind of treatment that normally rallies Democrats to a whistleblower's defense. Still, Alberty stuck to his main story: An abortionist once delivered two live human fetuses to his vivisection table. Alberty's other former employer, the fugitive Dr. Jones, saw his chance and fired off a letter asking the FBI and Janet Reno to investigate Alberty for "corporate espionage."

Given the flimsiness of the 1993 law and the strong political support on Capitol Hill for unrestricted research, the reality is that, when it comes to the use of body parts from aborted fetuses, all is permitted. In effect, the medical community and its overseers at the National Institutes of Health and in Congress have allied themselves with abortion defenders and biotech businesses to resolve an ethical conflict with a lawyer's trick: The mother's signature on a consent form wipes away all scruples. Thus a moral dilemma is being converted into a private choice and a corporate opportunity.

One reason this can happen is that the national media support this unseen conversion; they just don't want to admit it, any more than the politicians do. Least of all do they want to alarm members of the public, who would not believe what their government is condoning in their name. Then again, perhaps we modern citizens—oops, I mean health care consumers—do know at some level and have exercised our right to choose to ignore this unpleasant business, bent as we are on enjoying the medical breakthroughs that fetal-tissue researchers promise.

What seems undeniable is that ethical researchers should be willing to submit their work to public review. Skilled researchers, moreover, if motivated by conscience or required by law, could minimize their use of fetal tissue and perhaps obtain all they really need from fetuses who have died naturally. They could maximize their reliance on animal tissue and on the human cells and tissue now grown or stored in commercial tissue-banks—even if they had to pay for it out of future profits.

These and other restrictions, including an international agreement, deserve to be considered, lest we autonomous citizen-consumers, by defining the very youngest humans as commodities, take a step closer to converting *ourselves* into commodities. If we take that step, the time will soon come when we in turn are judged surplus by market forces. But by then, our experiment in commodification will be too far advanced for anyone to appeal to antiquated notions of citizenship and humanity. By then, our fellow consumers will no longer grasp the unscientific duty to protect life. ♦

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"The McCain Mutiny"

The raging typhoon lashed USS GOP 2000 broadside, bow and astern. Even so, the ship's Captain, George W. and its Executive Officer, John McCain, kept arguing which was the safest course to steer. Officers and crew stood by helpless and horrified lest the ship capsize burying all of them in a watery grave.

From the beginning, there was serious dissension between John McCain and George W. George W. navigated through endless stretches of Texas on a prairie schooner. John McCain was, every inch, Annapolis.

The more the two argued, always before officers and crew, the greater became the awful prospect of their ship foundering. As bad as was the threat of scurvy in ancient days so, in modern times, mutiny was as cruel a fate.

Once, while GOP 2000 was towing a target far astern, George W. and John McCain went at each other in shocking rage, leaving the helmsman without orders. Officers and crew looked on silently and in dread should the ship's propellers become all fouled up with the target's towline. Only a miracle saved GOP 2000 from coming to a sudden stop, dead in the water.

And then, the incident while escorting marines in landing craft to the beach, Captain George W. and Executive Officer, John McCain, cursing one another over how close to come to shore. Within earshot of them both, stood officers and crew hardly believing such a thing could, in such a way happen at such a time.

The two decided to resolve the problem. They arranged a meeting of all officers in the wardroom. A legal officer steeped in naval rules and regulations was chosen to preside. He gave the case its name, 'The McCain Mutiny." At the same time, he made it abundantly clear that nothing, under any circumstances was to suggest one of the two was a victor or the other a villain. What eventuated is vital to the story.

Upon ever entering homeport, GOP 2000 was to attach a broom to the mast and hoist it to the top. This was to assure all the fleet at anchor that GOP 2000 had made a clean sweep of all or any problems now or in the future.

More important and what became rapidly apparent was that USS GOP 2000 was hailed as the most shipshape vessel in her class, far surpassing her nearest rival, the USS DEMOCRAT ASS 2000, the last in her class, alas.

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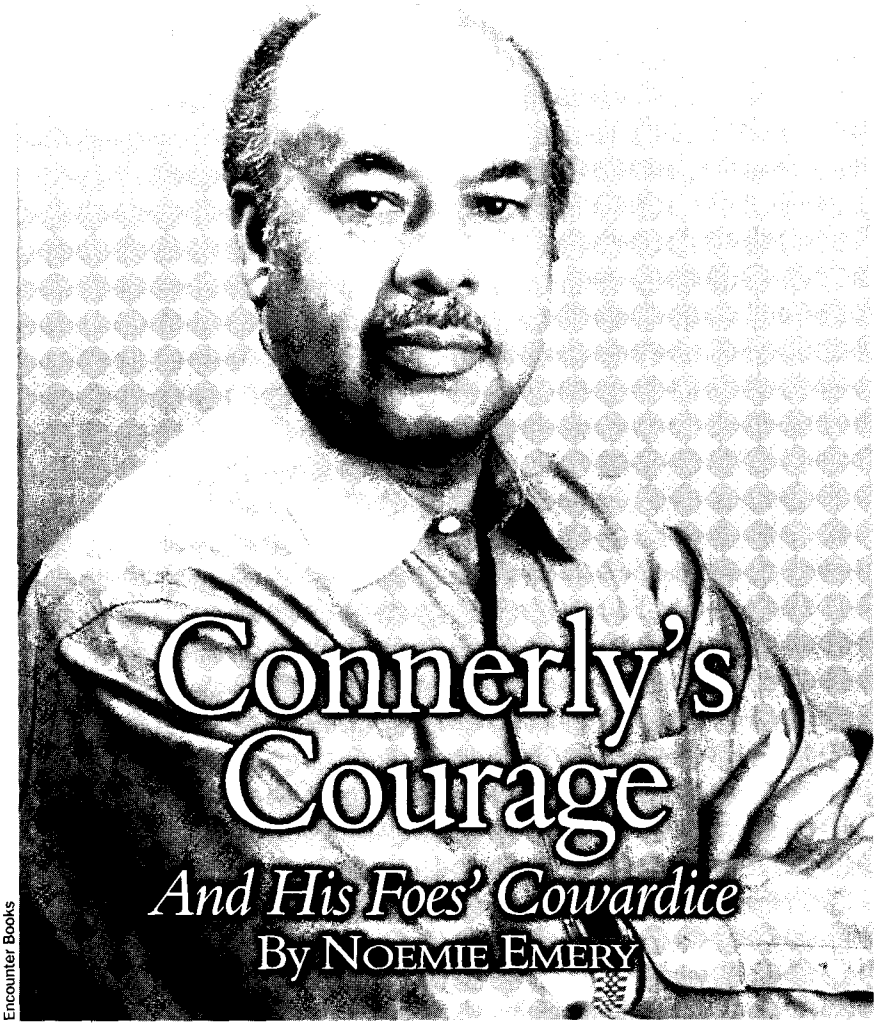

Encounter Books

Connerly's Courage

And His Foes' Cowardice

By Noemie Emery

Once upon a time in America, black Americans who wanted to exercise their rights to vote, live where they pleased, and send their children to local schools joined the civil rights movement and were harassed, assaulted, and threatened by venomous whites. These times have passed, to be succeeded by times in which black Americans seeking to exercise their rights to freedom of thought and expression are harassed and assaulted by the civil rights movement, aided by university presidents, political liberals, and much of the national press.

One of these modern victims is Ward Connerly, an activist almost in spite of himself, a hero, villain, and symbol of the war against quotas. Connerly has now told his tale in *Creating Equal*, a book that is really three stories in one. The first is the traditional story of how a poor family rises in two generations to affluence. The second is a less usual tale of how a non-public figure becomes a leader and lightening rod. And the third is of the decline, fall, and fall still further of the great liberal lobbies of the twentieth century.

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Creating Equal
My Fight Against Racial Preferences
by Ward Connerly
Encounter, 286 pp., $24.95

The first story begins in Louisiana in the 1940s, portrayed here as close to the heart of terror, a lawless and frightening place. The promised land is Sacramento, California, which seemed, by contrast, almost like paradise: a place of steady work and decent people, in which the family began its rise into the lower middle class. Connerly's family had been shattered early: When he was a toddler, his ne'er-do-well father left to live in parts unknown with a series of women who became over time ever younger. Shortly afterwards, his mother, whom his father had beaten, died. His parents' places were filled by his maternal grandmother and his mother's younger sister, and, most of all, by that sister's husband. This uncle, James Louis, is the story's true hero, a figure of honor and dignity who gave the fatherless boy a grounding in manhood.

James was a man who believed in hard work and respect for himself and others. The family viewed public assistance (on to which his grandmother was forced for a short, painful period) as a disgrace. Connerly took his first job in his teens and began working his way through school. He went to junior college and then Sacramento State, beginning work for the local redevelopment agency the Monday after graduation.

It was the start of a long career at that place where government meets private industry in contracting and real estate: a way to blend entrepreneurship with social planning and make policy while making money. In 1966, he moved to the California Department of Housing and Community Development, becoming the liaison to the state legislature and beginning to mix in politics.

From there, he was hired away by Pete Wilson, an ambitious young politician who chaired California's Housing and Urban Affairs Committee. Through the years, their lives became interconnected. Wilson became mayor of San Diego, then U.S. senator and governor. Connerly formed a consulting firm, advising communities and businesses how to cope with government, and soon became rich. He did not work for Wilson directly, but he became a crony and a counselor, not to mention a fund-raiser and financial backer.

Connerly also served on councils and boards, becoming one of the figures who make civic society function: the well-heeled businessman with a public presence, one of the many backroom friends of the powerful, just off the radar screen of politics. In 1993, Wilson named him to the Board of Regents for the University of California, a typical sort of prestige appointment for a friend of the governor who was also a big campaign donor. As Connerly writes, "It was supposed to be one of these honorific jobs that gives heft to a career, and it was in

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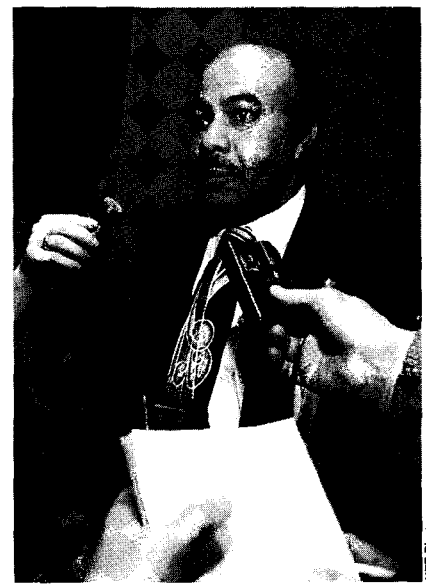
this spirit that I took it." Actually, it was the end of his comfortable, balanced existence—and the beginning of a strange new life.

There are some people who set out to become politicians, because they like the public attention and enjoy the battles. Others take up a cause as a profession because they need a sense of mission. Ward Connerly was neither. He had politics, but no consuming political passions. By temperament an individualist, integrationist, and assimilationist, he believed in the success of the melting pot (of which he was a prime example). He was a Republican moderate, an admirer of Ronald Reagan but somewhat to his left. He believed in the free enterprise ethic, but thought that the government could have a role in initiating and facilitating social improvements.

He was marked by the knowledge he was descended from slaves and by the memory of a 1954 trip to Mississippi, during which the search for a restroom or restaurant had been harrowing. He had seen his powerful uncle tremble with fury when white trash had called him a "boy." In college, he had been a member of the NAACP and helped to organize a protest when a dark-skinned student had been killed on a motorbike after having been denied housing near campus. But he had also been greatly repelled by the nihilism and tribalism that had come to mark black identity politics after the mid-1960s, finding it self-defeating and incomprehensible.

This was his state of mind in August 1994, when, as a regent, he met with a couple, the Cooks of La Jolla, who had a problem about their son, James.

James Cook, an aspiring doctor, was in many ways a model young man. In high school, he had already completed sixteen university courses. He was a National Merit Scholar and a member of the National Science Olympiad Team who had graduated from high school at sixteen with nothing less than "A" on his record. He graduated in 1992 from UC San Diego, with a Phi Beta Kappa in computer science, having published three articles in medical journals, and gone on volunteer missions to Mexico. His scores on the Medical College Admissions Test were outstanding: Cal Tech and Harvard/MIT accepted him within days of his application, and offered him fellowships. However, all five of the medical schools in the University of California system had turned him down. When he was turned down again the next year, by four of the five schools in the system, his parents secured records of those admitted and scanned them for reasons. Soon they had found them: Most of the blacks and Latinos admitted had scores dramatically lower than those of the Asians and


KRT Photos

whites. Months later Connerly would obtain a copy of the "Karabel Matrix," a grid designed by a team at UC Berkeley, which had served as a guide for the system. 8,000 points was the highest mark possible. Asians and whites had to score 7,100 or over. "People of color" were admitted with 6,000 or less. Unannounced and undeclared, a rigid system of preference based upon race had been imposed on the system. James Cook was a victim of state-sponsored prejudice, mistreated because of his race.

As a "person of color," Connerly was assumed to favor quotas. But Cook was no child of privilege. His background—one grandfather had been a sharecropper in Mississippi, another a laborer—was like Connerly's. Identifying with the Cooks as victims of state-sponsored preferences, Ward Connerly found the great public cause that would make him a mover, a hero, and a bogeyman.

At the regents' meeting in November 1994, Connerly raised the question of the Cooks' findings. At the meeting in January 1995, he brought up the question of preferences. At the meeting in July 1995, he raised and passed, in a tumultuous session, the two measures that ended race preferences in the university school system. And by the end of 1995, he was doing the groundwork on the state initiative—Proposition 209—that would, after a harrowing battle, end preferences throughout the state.

"Don't enter this thing lightly," Pete Wilson warned him, as Connerly started work on his state proposition. "This is going to be the mother of all initiatives. If you do get it on the ballot, you'll get attacked in a way that will make the regents' thing seem like kid stuff. They'll attack me as a racist, and you as my black lackey." What Connerly would be exposed to in the months and years after is a vivid demonstration of how the Left does business: by enacting unpopular measures in secret, lying about its intentions, and trying to demolish its critics by diversions, distractions, hysterics, and personal attacks.

"Liberals," says Connerly, "are the true disciples of Machiavelli in our political culture. They are so sure of the nature of their ends that they can resort to the most outrageous means and still feel on the side of the just." Thus, the administrators at UC denied and stonewalled for five months before they conceded that they held whites and Asians to high testing standards while admitting members of an "under-represented minority." Thus, when a professor named Glynn Custred joined Connerly in the drive for Proposition 209, Willie Brown (then a state legislator and now mayor of San Francisco) urged students to disrupt his class. Thus, when Connerly tried to address student rallies, he was howled down by radical dissidents, while college administrators approvingly stood by. Thus, opponents of Proposition 209 in California tried to tarnish Connerly by inviting former KKK leader David Duke to speak in its favor.

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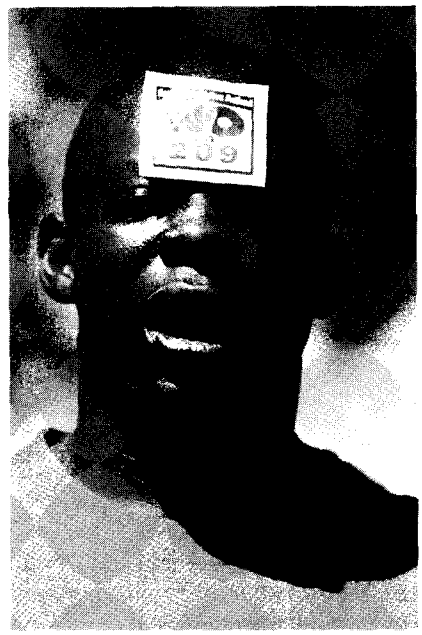

AP / Wide World Photos

Berkeley students marching during the November 1996 regents' meeting, and a San Francisco student protesting against Proposition 209 in 1997.

Thus, "Julian Bond made inflammatory speeches to black audiences . . . that the measure would eliminate school lunches for needy children, something he must have known not to be true." Thus, the League of Women Voters claimed, also falsely, that the measure would put an end to equal pay for equal work.

The pattern would be repeated across the nation. In a similar battle in Washington state, Vice President Gore appeared three times "to wave the bloody shirt with charges that racism had reappeared in the anti-preference movement. . . . 'The winds of hate are blowing in Washington state,'" he said. In Houston, a radio ad "began with the sound of sirens and gun fire," and compared the opponents of preferences to the murderers of Martin Luther King. Pressure from Houston's Democratic administration forced the investment firm of Paine Webber to fire an employee who had aided the anti-preference movement, and the mayor succeeded in wording the ballot in terms so misleading that after it lost (the only time an anti-preference measure has lost), a district judge voided the election.

The assault on Connerly began when he appeared on ABC's *Good Morning America* with Congresswoman Maxine Waters, who waved a paper she said "proved" Connerly had benefited from the preference policies he rejected. "It was a lie, of course," Connerly writes. "As I listened to this woman who had eaten from the public trough all her life, . . . I began to realize that Waters and others like her had too much invested in maintaining a system of racial preferences to ever let go of that system. . . . I knew from listening to her what was ahead of me for the rest of the day, and perhaps for the rest of my life."

Connerly's debut as an anti-preference activist triggered a volley of hateful attacks. As a private contractor, it was claimed, he had benefited from quotas and set-asides. He had become a traitor by wedding a white woman. He was a "self-hating" black. The *New York Times* profiled him as a disturbed personality who had been raised by a woman who disliked dark-skinned blacks. "It wasn't much of a stretch from accusing me of coming from a family of anti-black bigots . . . to showing me in a KKK hood, as the *Oakland Tribune* did in a cartoon . . . to calling me . . . 'Uncle Tom,' or 'oreo,' or a 'lawn jockey for the ruling class.'"

Other things happened that recalled the Deep South of the 1950s and 1960s. There were threatening phone calls, obscene graffiti, windows shot out by slingshots and pellet guns, stalkings by gangs of thugs. "At almost every campaign stop," he writes, "there was organized heckling whose racist overtones created an inflammatory atmosphere that could easily have exploded," and that some doubtless regretted did not.

Part of this had a political purpose to warn off other black dissidents. But it also seems clear the defenders of preferences have an emotional stake that goes far beyond reason. Liberal whites have a large investment in their claim to moral enlightenment. Liberal blacks, especially those who remember the days when the civil rights movement fought for something worthwhile, cannot let go of the view of themselves as standing on the front lines of freedom. But as integration gained ground with the public, the search for noble, unpopular causes has become more difficult. The claim that race-based preferences *are* civil rights—that people who oppose them are *against* civil rights, and that therefore great waves of reaction and racism are sweeping over the country—is a way to hold on to the glories of the past. As Connerly notes, the rationale for quotas has altered dramatically "from remedying the consequences of past discrimination, to promoting 'diversity,' to preemptively preventing future discrimination, and most recently, to helping whites who require exposure to other racial and ethnic groups."

Connerly has become almost a full-time activist, pushing anti-preference initiatives in a number of states, most recently Florida. He has lost his privacy and much of his peace, and has unwillingly become a symbol to millions. He is now arguably more famous than his mentor, Pete Wilson, and surely a great deal more hated. He has also become the leader, not of a state or city,

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but of a state of mind. It is a state of mind opposed to race consciousness, opposed to identity politics, opposed to the disastrous turn taken by the moribund civil rights movement.

He has also become the leading proponent of a different kind of affirmative action; the kind that should have been adopted years earlier. When Ward Connerly first saw the statistics presented by James Cook's angry parents, he was angry at two different things. He was angry on behalf of James Cook and those like him, who had been unfairly dealt with because of skin color. But he was also angry on behalf of the minority students who had gotten into medical school in their place. Why did they *need* a rigged system to attend a good college or graduate school? And why did the authorities try to pretend that rigging the system made their lack of knowledge all right? As Connerly writes, in 1994 only 500 out of 18,000 black high-school graduates in California had the grades to attend UC without preferences. And so, Proposition 209 would have another aspect: "Written into my resolution to end preferences at UC there was also a mandate to begin an outreach task force. . . . [A]ll aspects of the university . . . have joined together to form partnerships with K-12 schools . . . to help underperforming kids."

As a result, UC personnel are now involved with public schools throughout the state, mostly in disadvantaged minority neighborhoods, engaged in large programs of outreach and tutoring. Thus, while black and Hispanic enrollment dropped off in the first year after the preference system was ended, it increased again in 1999. There are now more blacks and Latinos at Berkeley than there were at the height of the preference system—except now they deserve to be there and will benefit from being there.

Connerly begins his book with a meeting at the White House in December 1997 when President Clinton, stung by criticism that the "race panel" he had convened lacked any intellectual or political diversity, hosted a conclave of critics of quotas, including Connerly, Abigail Thernstrom, and Linda Chavez. The president was genial, but the vice president was much less so, clearly indicating his intense dislike for the group and its theories. As they left, Bill Clinton bade them farewell, shaking hands warmly.

Then, Connerly tells us, something peculiar occurred: "Al Gore grabbed my hand too, but instead of shaking it, he ground my palm and fingers in his grip as hard as he could. I felt the cartilage compress and almost cried out in pain. I looked at the vice president and he stared back at me with a slight smile as we walked out."

Some people still need to be taught about tolerance. Ward Connerly could teach them rather well. ♦

The Soul of Waugh

A new collection of his comic fiction raises the question of Evelyn Waugh's legacy. **BY DAVID SKINNER**

The legacy of Evelyn Waugh is curiously divided. Readers of serious fiction revere his masterpiece, *Brideshead Revisited*, popularized by a faithful BBC television movie. Wordsmiths, particularly those with a taste for the put-down, credit him as one of the few twentieth-century writers to have given the English language its due. And then there are the readers who see in Waugh a master storyteller, yet leave his books with the vague feeling of something wrong.

For the first twenty years of his career, Waugh wrote mainly ferocious and hilarious satires. Seemingly the most transparent writings, these comic novels have rarely been the subject of serious moral inquiry. Even while decoding the books' thinly disguised literary gossip, critics have tended to ignore graver questions that come up between reader and author. Assessments of Waugh's humorous works have almost entirely missed the stunning moral darkness that stands at their center.

Waugh, who converted at the age of twenty-six, is often thought of as a Catholic writer. But he was not noted for a Christian temperament. Pointing out the contradiction, Nancy Mitford drew from him the famous rejoinder, "You have no idea how much nastier I would be if I was not a Catholic. Without supernatural aid I would hardly be a human being." His biographer Martin Stannard claims that after his conversion, Waugh "always wrote as a Catholic." Yet in his comic novels—both those before and those after conversion—one searches long and hard for evidence of a distinctly Catholic mind at work.

Waugh was born in 1903, just as the art-for-art's-sake movement was closing shop, though he would share many of its aesthetic concerns. He had an older brother, Alec, also a writer, whose most notable achievement came when, at the precocious age of seventeen, he penned an autobiographical novel shocking for its frank description of public-school homosexuality. Their father, Arthur Waugh, was a book reviewer and an editor at Chapman and Hall, which published technical manuals as well as novels (including almost all of Evelyn's).

At twenty-four, a few years up from Oxford and just months before his debut as a published writer with *Decline and Fall* in 1928, Evelyn Waugh married Evelyn Gardner. The book was a success; the marriage was not. After just a year, his wife left him, cuckolded, as he was working on *Vile Bodies*. The divorce, it seems, renewed Waugh's interest in religion. In 1930, "on firm intellectual conviction but with little

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emotion," as he told his Jesuit instructor, he was admitted to the Church. Meanwhile, his reputation as a writer was growing, with books of travel journalism and the satirical novels *Black Mischief* and *A Handful of Dust*.

In April 1937, shortly before the publication of his most popular novel, *Scoop*, Waugh married again. Although Laura Herbert would bear him seven children, he was never much of a family man. His son Auberon's recent memoir depicts the literary giant as a selfish and cold-hearted father. A difficult person to be around, Waugh spent months at a time away from his wife and children, writing.

He could, however, be public spirited. Viewing himself as a defender of Christianity and Western civilization, he maneuvered himself into the army despite a medical finding that he was unfit for service. "The only way to bring this unhappy business to a conclusion is to kill a great number of Germans," he wrote his friend, the poet John Betjeman. Unfortunately, World War II saw Waugh shuttled in and out of a series of administrative offices, of little use to anyone. From this experience came fodder for his major works of serious fiction, *Brideshead Revisited* (1945) and the *Sword of Honor* trilogy (1952-1961).

Waugh's urge to make himself useful in the world found a better outlet in his work for the Church. He wrote religious biographies, of his friend the Jesuit Ronald Knox and of the Tudor martyr Edmund Campion. He also contributed numerous reviews to Catholic publications and gave money generously to the Church. In his declining years, Waugh felt financially and artistically impoverished, despite his fame. He died in 1966, at home, shortly after attending Easter Mass. In his last published article, Waugh described death as a "significant emancipation," adding, with characteristic disdain for the chores of his public and private life, "It is just that I do not much like living."

Waugh had always seen existence as a miserable state of affairs. "To have been born into a world of beauty," he wrote in his unfinished autobiography, "to die amid ugliness, is the common fate." His fiction evokes a deteriorating world peopled by moral midgets, a society shredding its traditions, a physical world degraded. To use a word Waugh favored, there is an "architectural" quality to his works, by which elegant structure is made to contain all the ugliness of life.

Both the elegance and the ugliness are on display in the new Little, Brown edition of Waugh's books. Along with repackaging *Brideshead* and five of the

Henry Lamb's portrait of the young Waugh. Little, Brown.

comic novels (though not, unfortunately, the hard-to-find *Black Mischief*), the publisher has assembled Waugh's complete short stories in one volume. This includes several items of interest absent from other collections: the tantalizing novel fragment "Work Suspended," the anti-modern "Scott-King's Modern Europe," and the strange little futurist story "Love Among the Ruins."

Decline and Fall and *Vile Bodies*—the only novels Waugh wrote before his conversion—express an entirely secular outlook. The former is a coming-of-age adventure, in the first few pages of which the dull young Paul Pennyfeather loses his place at college, his inheritance, and his dignity. As in so many farcical stories, chance moves the plot, tossing Pennyfeather around like a rag doll. By turns, Pennyfeather is tormented by decadent aristocrats at university, would-be aristocrats at the corrupt, third-rate boys' school where he is forced to teach, and scheming socialites. He is, Waugh sneers, a man who "might be expected to acquit himself with decision and decorum in all the emergencies of civilized life"—and he is wronged by every person with whom he comes into contact. The truth underlying Paul Pennyfeather's life is that being decent and competent affords no protection.

Vile Bodies, Waugh's all-out attack on jazz, tabloid culture, and the whirl of modern society, opens with a sketch of a gossip-minded Jesuit. His suitcase, made of "imitation crocodile hide," bears someone else's initials and carries his own false beard. It is this man's "happy knack to remember everything that could possibly be learned about everyone who could possibly be of any importance." The novel is dotted with impostors. Lottie Crump would be a perfect Edwardian, were it not that she runs a cathouse. The fifteenth Marquess of Vanburgh makes his living by writing a gossip column. *Vile Bodies* is populated by shallow people with shallow aims. Aside from Waugh's mastery of language, the novel has only one virtue, and that is its continually shifting, wildly veering picture of English life in the 1930s: a circus of bright young things, Evangelicals, blowhards, cheats, and con men in one soul-killing romp.

But all of Waugh's humorous works, not just the pre-conversion novels, are set in a moral wasteland. Callousness about life, dignity, and fairness is the quality that abounds and the catalyst for catastrophe. These books do not satirize manners; they attack humanity. In several of the novels, characters suffer horrible fates without anyone so much as noticing. In *Decline and Fall*, a student lining up for a footrace is accidentally shot by the starting gun. He soon dies, but the event proceeds as if

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he had suffered only a slight sprain. In *Vile Bodies*, Agatha Runcible dies in a racing-car crash, but again the death goes unnoticed. In the post-conversion *A Handful of Dust*, a boy is stomped to death by an out-of-control horse, but no one blames the horse's owner, and the child's own mother doesn't show up for his funeral.

A dark distrust of human inclination pervades Waugh's comic works. Twisted desire and social turpitude leave humans little more than vile bodies, flesh and blood devoid of spirit—so much so that Stannard and other critics misread Waugh when they claim to find a moral and religious kernel in which the author, by "negative example," is condemning what he describes. Though Waugh the man disapproved of society's corruption of the innocent, Waugh the humorist did not set out to judge it. In his satires, he wasn't exaggerating man's awfulness to shame readers into bettering themselves; he was merely reducing man to his basest elements. Where Stannard and others believe Waugh to be saying that man is sometimes terrible and should be otherwise, Waugh was actually saying man is invariably terrible and there is little to be done about it.

Tony Last of *A Handful of Dust*, Waugh's second post-conversion novel, is emblematic. A harmless fellow, Last refuses to see ill will in others. Almost halfway through the story, Last's son dies in a riding accident. His wife leaves him for an out-of-work mama's boy and, in the divorce proceedings, attempts to gouge him while an approving society looks on. His flight to South America ends with him in the hands of an Indian chief who won't let Tony leave because he needs the Englishman to read Dickens aloud to him.

In *A Handful of Dust*, one detects a certain philosophical shift. In *Decline and Fall* and *Vile Bodies*, custom and prejudice set events in motion. In the plots of *A Handful of Dust* and the later comic works, individual choice looms larger. The result, however, is the same: In the end, everyone loses. With or without free will, man is unable to achieve happiness. Sheer misfortune will make life hell, if family doesn't get there first.

W.W. Norton

Evelyn Waugh beside his portrait bust in 1945.

Everyone similarly loses in the short stories. If Tony Last was too nice for his own good, Millicent Blade in "On Guard" is too pretty. Her face inspires in men a fraudulent affection. She has, Waugh explains, "a nose that pierced the thin surface crust of the English heart to its warm and pulpy core; a nose to take the thoughts of English manhood back to its schooldays, to the doughy-faced urchins on whom it first squandered its affection, to memories of changing room and chapel and battered straw boaters." When Millicent tries to break her promise of devotion to a young man who has gone abroad, her dog bites off her nose to make sure no one else will have her.

"Work Suspended" suggests that even loving marriages may inspire animosity. But Waugh's ultimate evocation of marital anti-bliss is found in "Tactical Exercise." This story draws on not one but two characteristic themes: the misery of military life and the misery of marriage (a combination also seen in *Brideshead* and the *Sword of Honor* series). It opens with a classic Waugh formulation: "John Verney married Elizabeth in 1938, but it was not until 1945 that he came to hate her steadily and fiercely." As in so many of Waugh's satires, life with others is presented as a kind of hell—not damnation exactly, but an experience fraught with animosity growing from a lack of sympathy so profound that John discovers the only thing stopping him from killing his wife is her plan to kill him.

Man's natural savagery is as evident in remote, uncivilized settings as it is in polite English society. In *Scoop* and *Black Mischief*, foreigners prove even more devious than Englishmen. Travel exposes the flaws of Waugh's characters, some of whom seem to go abroad mainly for the purpose of committing adultery unobserved. The depravity of Englishmen outside England is of a piece with Waugh's pessimism about the entire human race. "I believe," he wrote in a book review in 1939, "that man is by nature an exile and will never be self-sufficient or complete on this earth; that his chances of happiness and virtue, here, remain more or less constant through the centuries and, generally speaking, are not much affected by . . . political and economic conditions; . . . that the anarchic elements of society are so strong that it is a whole-time task to keep the peace."

In this carefully worded profession, Waugh begins sounding like a Catholic, moves to sounding like a conservative, and ends sounding like a raving skeptic. It is, unfortunately, the skepticism that informs his satires. If man by himself, even when acting without malice, is liable to land in the worst possible situations, man in concert with oth-

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ers will create widespread calamity. Thus, in *Scoop* and *Black Mischief*, politics is a doomed enterprise. Good intentions are misunderstood; words, identity, are so many masks that circumstance removes to expose barbarity.

Perhaps only *The Loved One* offers evidence that Waugh the satirist occasionally wrote as a Catholic. Counterfeit affection, fruitless careers, and the hypocrisy of Englishmen abroad are all packed into this vicious meditation on the American way of death. The heart of the novel is Waugh's presentation of Whispering Glades, a decadent big-production Hollywood cemetery that has removed morbidity from the funeral business. That is, it has taken away death's harshness and finality, leaving in their place sugary sentiments. The director, Dr. Joyboy, believes the body contains what is most important in life: personality. His assistant, Aimée Thanatogenous, asks Dennis Barlow, who has come to make burial arrangements for a deceased English acquaintance, "Shall I put him down as 'serious and philosophical' or 'judicial and determined'? Is there any individual trait you would like portrayed? Sometimes the Waiting Ones like to see a pipe in the Loved One's mouth.... One lady made her leave-taking holding a telephone."

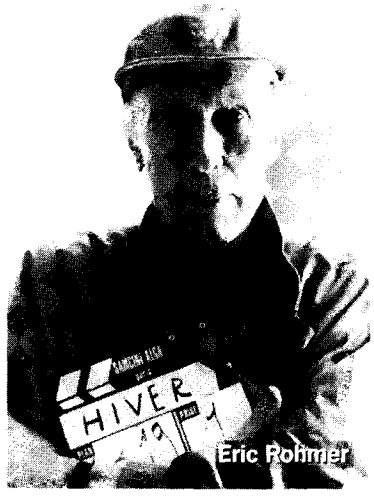
The error enthroned at Whispering Glades isn't merely that Dr. Joyboy and his underlings would make the tragic sweet, but that they would ignore the tragic altogether, pretending it does not exist. Here we come as close as we ever get in Waugh's comic novels to a Catholicism expressed by negative example. Whispering Glades embodies the opposite of the Catholic Church's understanding of life and death. Despite its vague promise of another world, Whispering Glades actually seems quite content with this one.

Waugh, an orthodox Catholic, wrote his satires as if human beings had no soul. To be sure, his serious fiction is distinctly and explicitly shaped by a Catholic point of view. But in his humor, he created fictional worlds alien to that point of view. The books expose our folly and wickedness—and only our folly and wickedness. ♦

When in Rohmer . . .

The French New Wave movie director could teach Hollywood a few things. BY JAMES BOWMAN

The one thing American moviegoers are likely to know about the great French director Eric Rohmer, who turns eighty this month, is Gene Hackman's dismissive comment in Arthur Penn's 1975 film *Night Moves*. In turning down an invitation from his wife to go see *My Night at Maud's*, Rohmer's notoriously philosophical film, Hackman says, "I saw a Rohmer film once. It was kind of like watching paint dry."



Eric Rohmer

It's true that there are no explosions or gunshots in a typical Rohmer film. The excitement is not forced by editing or music (there is no music, except where the characters hear it too). But Rohmer's understatement is an excellent way of clearing the palate after Hollywood junk food. The Frenchman gives us something not only more exciting but closer to real life—*real* real life, the life of men and women and work and holidays and love and loneliness. Most of his films are not difficult or intellectual. They only seem that way, because you have to pay attention.

Not a frame of a Rohmer film is wasted. His devotion to his craft is refreshing, as is his shyness (he once put on false whiskers to receive an award on television). Like most of the New Wave directors of his generation, he idolized Hitchcock (he collaborated on a book about him), and he became a master of plotting. With Hitchcock the plot is central because, in a murder mystery, it leads to the moment of revelation. But Rohmer, whose characters live in an everyday world where murders seldom happen, does not make it so obvious. His characters do ordinary things like going out to dinner or taking a walk or having an argument, but you soon realize that the order in which they do them is crucial. At least, you do if you have been following along. People's lives and happiness depend on order as much as they do in a Hitchcock film.

In giving prominence to the daily life of the French bourgeoisie—particularly those younger than himself, who are not nearly so conscious as their parents were of being bourgeois—Rohmer breaks with French postwar culture. As he told Jean Narboni in the interview-introduction to *The Taste for Beauty*, a collection of Rohmer's journalism,

> My authors are Balzac and Victor Hugo. Balzacian, yes. That is, anti-existentialist, against the new novel, against people like Moravia, Sartre, and Beckett. In Balzac's novels, one finds content in conversations. But in twentieth-century novels, there are conversations but no content. Their sense exists between the lines; the characters' sentences are flat. Second, in twentieth-century novels, things occur, one is subjected to them, but there's no plot. The plot is something which is completely outdated.

James Bowman is the American editor of the Times Literary Supplement.

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No one has done more than Eric Rohmer to shake off the blight of this existentialist gloom, whose pop-cult version so captivated Arthur Penn back in the 1970s. Between 1963 and 1972, Rohmer made "Six Moral Tales": *La Boulangère de Monceau* (which appeared in America as "The Baker's Girl" or "The Girl at the Monceau Bakery"), *La Carrière de Suzanne* ("Suzanne's Career"), *Ma Nuit Chez Maud* ("My Night at Maud's"), *La Collectionneuse* ("The Collector"), *Le Genou de Claire* ("Claire's Knee"), and *L'amour L'après-midi* ("Love in the Afternoon" or "Chloe in the Afternoon"). These films doubtless earned him his reputation as an aloof moralist, because they were so spectacularly contrary to the spirit of that decade. But all six are now available on video, and to watch them these days is to realize their worth: Though they are all informed by a sophisticated moral sense, they are never preachy. Rohmer is always much more interested in the way people maneuver around moral obstacles than in arguing about the morality itself.

The Aviator's Wife

All photos: The Everett Collection.

Above all, he is interested in the self-deceptions into which love leads. Even *My Night at Maud's*—which does have serious philosophical overtones and an implied commentary on Pascal—ends up being much more about the down-to-earth business of deception in love. Both the last two films in "Moral Tales" are meditations on masculine self-deception. The portrait of Jerome in *Claire's Knee*—a man who rationalizes his infatuation with teenage female flesh as the expression of a disinterested romantic ideal—is painful to watch. There is a kind of endearing childishness about Jerome when he freely acknowledges that, in love, "All my successes came by surprise; desire followed attainment." But the surprise comes from his lack of self-knowledge, which is of a sort to make any man ashamed of his sex.

In the late 1970s, Rohmer took a break by producing deliberately non-naturalistic versions of Kleist's *Marquise von O* and Chrétien de Troyes's *Perceval le Gallois*. But he returned to self-deception and self-knowledge in another series of six films, the "Comedies and Proverbs," made between 1980 and 1987. These films—*La Femme de l'Aviateur* ("The Aviator's Wife"), *Le Beau Mariage* ("A Good Marriage"), *Pauline à la Plage* ("Pauline at the Beach"), *Les Nuits de la Pleine Lune* ("Full Moon in Paris"), *Le Rayon Vert* ("The Green Ray" or "Summer"), and *L'ami de Mon Amie* ("My Girlfriend's Boyfriend" or "Boyfriends and Girlfriends")—are perhaps Rohmer's greatest works and should be counted among the artistic achievements of the last century.

They are remarkable for their insight into feminine psychology. A young star of *Le Genou de Claire*, Béatrice Romand, reappears twelve years later in *Le Beau Mariage*, which turns out to be a kind of bookend to the earlier film—a harrowing meditation on the female capacity for self-deception. The erstwhile schoolgirl is now a woman in her late twenties named Sabine, who decides it's time to end her affair with a painter and settle down. With the confidence of youth, she picks out her prospective partner, a suitably handsome, boring lawyer named Edmond, who is the cousin of a friend. It is almost unbearable to see the cruelty with which life teaches her that the power to choose is no longer hers.

Yet the "Comedies and Proverbs" are, after all, comedies: The characters are still young enough that they can recover even from such a disaster as Sabine's infatuation with Edmond. In *Conte d'automne* ("Autumn Tale"), the last of a later series of four films Rohmer made between 1990 and 1998, Romand appears yet again, as a middle-aged widow whose married friend tries to find a man for her by dating him herself. Here Romand is neither the innocent tease of *Claire's Knee* nor the desperate young woman of *Le Beau Mariage* but someone whose chances for love are dwindling and who can't bear to become the sexual aggressor. Even sadder than her case, however, is that of her friend, whose oft-reiterated happiness in marriage collapses with her sudden and unexpected desire to hold on to the man she finds for her friend.

As in Rohmer's great films of the 1980s, the focus is on feminine psychology and the theme is self-deception. But by this time of life, the romantic illusion comes to seem less comic than pathetic. The balance between comedy and melancholy was better maintained in the "Comedies and Proverbs." The greatest of these films are *Pauline à la Plage* and *Le Rayon Vert*, but the most typical and most formally perfect is the first, *La Femme de l'Aviateur*.

Taking as its epigraph "*On ne saurait penser à rien*"—"You can't think of nothing"—the film confines itself to a single day in the life of the beautiful Anne, a working woman just breaking off an affair with a married aviator, Christian. (A nice and very Rohmerian touch is that the wife of the title only appears once, briefly, in a photograph.) A young man named François, who is working nights at the post office to put himself through law school, is also in love with Anne. Seeing Christian coming out of

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My Night at Maud's

Anne's apartment early one morning, he suspects the worst. Later, when he sees Christian meeting an unidentified blonde, François decides to follow the couple. Along the way, he strikes up an acquaintance with Lucie, a schoolgirl with the day off.

Rohmer is almost always precise about his characters' ages. François at twenty is midway between Lucie's fifteen and Anne's twenty-five, and he is like a weathervane, oscillating between childish playfulness and emotional vulnerability, neither of which he quite understands. He lectures Lucie like an older brother, trying to make her become more serious and grown-up, at the same time that he is attracted to her carefree girlishness. He is an ardent wooer of Anne, who keeps him hanging around even while insisting that she wants to be left alone.

The earnest, idealistic love of the twenty-year-old looks faintly ridiculous when compared with the reactions of both the girl and the woman. Rohmer constructs a wonderful parallel: When François tries to stop the teasing Lucie from giving away the game to the aviator and the blonde, she laughs, "Let me go, or I'll scream"—the same thing Anne had said, seriously, to François.

François and Lucie follow the couple to a lawyer's office, and when they can get no more information, they retreat to a neighboring café to wait for them to come out. Though François solemnly informs her that "life is not a novel," Lucie asks, "What would Sherlock Holmes do?" and expounds her theory that the blonde is the aviator's wife ("That's why they look bored"). They are seeing the lawyer about getting a divorce so that he can go to Anne. She advises François not to kill Anne. "It's her neck you want to twist," she confidently pronounces. "But it's more noble to kill your rival."

Before leaving with a request that he write and tell her if she was right in her conjecture, Lucie casually gives François a lesson on the view of love from age fifteen: "Girls always choose," she tells him—a young girl's insight that contrasts almost tragically with the twenty-five-year-old Anne's inability to choose. Meanwhile the male of twenty tells Lucie almost angrily that he chose Anne before she even knew he was there. It's here that Lucie affords an insight. When François tells her that "Anne doesn't know what she wants," Lucie replies: "Yes she does. She just hasn't found it yet—and it's not you."

Then there is an immensely touching scene between François and Anne. She has come home from work and gone straight to bed, but he forces his way in to have a serious talk. She sends him away. She calls him back. He stands up, then he sits down. He gets up to go, then he comes back. She lies down, then she sits up. The choreography is the very image of indecision. It is comic but at the same time reveals Anne's inability to go far in any direction. Earlier in the film, she says that she needs to be alone, that if she marries she will expect her husband to allow her a separate establishment. And yet she cannot do without people. Lucie was right: Anne's problem is that she doesn't want what she has and is too frightened of being alone to get rid of it.

To François she says that she hates glue or anything sticky—and there he is clinging to her. She doesn't want to see anybody, least of all François, and she says all sorts of hurtful things, things calculated to wound the sensitive masculine pride of a twenty-year-old. But she can't let him go, and every time he is on the point of leaving she calls him back. "Why do I keep doing things no one forces me to do?" she asks herself. "I'm too kind." This is a comic line, but we realize that she is right: She allows herself to be pushed into relationships and entanglements that leave her feeling that her life is no longer her own. She finally allows him to come to the bed and comfort her in his clumsy, youthful, and rather absurd fashion (it is all very chaste), whereupon the facts about the aviator are sorted out, including the fact that his walk in the park and to the lawyer had been with a sister. François learns that his suspicions were not true—but has a hard time grasping that something worse is true.

So Lucie's romantic conjectures and François's suspicions both turn out to be wrong. But the three versions neatly correspond to the three ages: romance at fifteen, doubt at twenty, and business at twenty-five. As François ponders the mistakes of the day, Anne asks him what he is thinking. "Don't you ever think of nothing?" he asks. "No," she says. "You can't think of nothing." And she ought to know.

In *La Femme de l'Aviateur*, François is always placed between: between the comic playfulness of Lucie and the tragic self-contradiction of Anne, between childhood and adulthood, between promiscuity and faithfulness, between innocence and experience. The film is typical of the way in which the director, like a surgeon, always anatomizes love: its pleasures and self-deceptions, its will to believe and its ineradicable suspicions. Arthur Penn and Gene Hackman have it wrong. For anyone who has ever been in love, Eric Rohmer's movies are immensely exciting to watch. ♦

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Parody

Ruling on a suit brought by students at the University of Wisconsin-Madison, the Supreme Court held that students do not have a right to withhold portions of their student activity fees from organizations with which they disagree.

—*News item, March 22, 2000*

UNIVERSITY OF WISCONSIN-MADISON

STUCK IN THE SIXTIES SINCE 1968

Student Activity Association
List of Registered Student Organizations, Fall 2000

Spartacist Senior League (formerly Spartacist Youth League)

People's Democratic Dairy Association (formerly Bovine Bolshevik Party)

Siamese Liberation Army

American Wartists Association

Transgender Dermatology Action League

Castrati for Quebec

Never Forget: Association of Wisconsin Dreyfusards

ASAD (Angry Students of Amalekite Descent)

Future Associate Professors of America

Pluckers: Chapter 839 of the National Tweezer League

Act Out: Congress of Rights for the Immature

Society For People Who Have Forgotten Why They are Boycotting Nestlé

Nose Piercists United (Law School chapter)

Nude Fencing Team (intramural)

Butch and Bald (Student Newspaper)

Conference of Overprivileged Whiners

F--- Off! (formerly, Honor Society)

Clog-Related Injury Support Group

College Republicans (fringe group, now under suspension)

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The Truth about Teacher Salaries and Student Achievement

Eric Hanushek is professor of economics and public policy, University of Rochester; distinguished visiting fellow, Hoover Institution; and member, Hoover's Koret Task Force on K–12 Education.

The season of teacher contract negotiations tends to bring forth a series of comparisons of teacher salaries with average salaries in other professions. These comparisons, which invariably show teachers trailing others, are frequently linked to arguments about the necessity of having quality teachers. Increasing teacher shortages simply amplify the need to improve teacher wages. What should we make of these arguments?

Research confirms what all parents know: **The teacher is the key ingredient to quality schooling.** A quality teacher is much more important than, say, a small class size.

Similarly, nobody doubts that increasing teacher salaries—for an individual district or for the nation as a whole—will increase the number of people interested in teaching. Thus, improving quality and dealing with shortages would seem directly related to improvements in salaries.

Unfortunately, the argument on salaries, like many others on educational policy, does not hold up because the validity rests on a number of unstated and unproven assumptions.

Let's consider the left-out components: First, when school people discuss salaries, they regularly have in mind raising everybody's salary. This includes the salary of all current teachers, regardless of quality, specialization, or anything else. There exists no overall shortage of people willing to teach or even of people certified to teach. Shortage arguments rest on ideas of specific skills, such as math or science training, but few people arguing for increased salaries would contemplate paying math and science teachers more than elementary English teachers. Second, poor teachers almost certainly value improved salaries at least as much as good teachers. An increase in salaries induces all current teachers to stay in teaching, regardless of how good they are. Third, quality is not a determinant of salaries. Teachers salaries are determined by experience, degree level, and coaching abilities but not by their impact on student learning. Fourth, nobody doubts that increasing teacher salaries will expand the pool of potential teachers from which a district can choose. But the influence on students depends directly on the ability of districts to choose the best teachers from the expanded pool. Research shows that the typical school district does poorly in these choices.

The combination of these factors implies that **there is virtually no relationship between teacher salaries and student achievement.**

Imagine a world where good teachers were paid large salaries and poor teachers were helped to find alternative jobs. Imagine a world where schools could compete for skilled specialists without having to pay the same to everybody, regardless of scarcity. This world would be very different from our current world, and the discussions of pay comparisons with other professions would be more meaningful.

— Eric Hanushek

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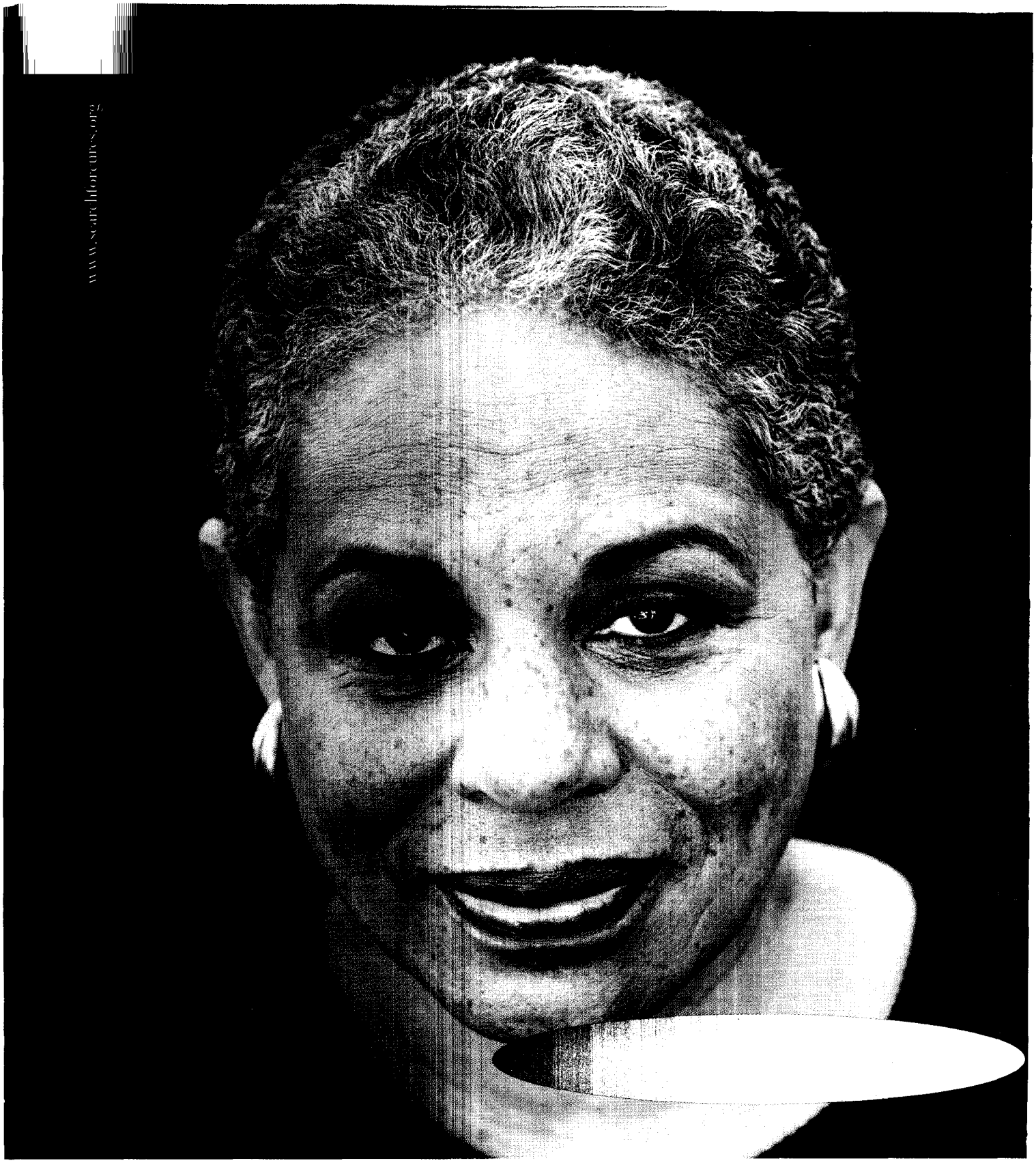

It's the face of Alexine Clement Jackson. Mother, grandmother and national president of the YWCA. At 50, she found out she had breast cancer, a disease that killed her mother when Alexine was only 4. She credits 12 years in remission to her doctors and advanced medicines developed by America's pharmaceutical company researchers. And pharmaceutical researchers will never stop looking for better medicines and ultimately a cure. It gives people like Alexine hope for the future and the future of their families.

America's Pharmaceutical Companies

Leading the way in the search for cures

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